

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, 20TH FEBRUARY, 2024

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA
THE HANSARD- OFFICIAL REPORT
TUESDAY, 20TH FEBRUARY, 2024

The House met at the County Assembly Chamber at 2:30 p.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

1. CONSULTATIVE MEETING ON THE COUNTY FISCAL STRATEGY PAPER, 2024

Honourable Members, I have two communications to make; the first communication is from the County Government of Bungoma, Office of the County Secretary and Head of Public Service addressed to the Clerk, County Assembly of Bungoma referenced; invitation for a consultative meeting of County Fiscal Strategy Paper, 2024. The above matter refers to H.E. Hon. Kenneth Lusaka, the Governor, Bungoma County and is inviting the leadership and elected Honourable Members of the County Assembly of Bungoma to a consultative meeting at Mabanga ATC on the 23rd of February, 2024 at 9:00 a.m. This meeting is for elected MCAs only, therefore keep time.

2. SURRENDER OF SECURITY FOR MEMBERS' CAR LOANS AND MORTGAGE

The second communication is not friendly. For now I will avoid reading Honourable Members' names here. My request is simple; with due respect...Honourable Members, kindly take your seats.

(Honourable Members walk into the chambers and proceed to their respective sitting positions)

That as per now the Committee in charge of Car Loan and Mortgage has disbursed funds to all the 63 MCAs of this County Assembly. Unfortunately, up to now, 11 members have declined to provide security documents towards the car loans advanced. Today, I will not call anybody's name on the Floor of the House; but I am asking that as you go back home, search your soul as to whether it is fair to receive the car loan and refuse to surrender its security. The effect is that the Clerk will freeze your salary and allowances until a time when we have your security.

The mortgage case is interesting; of the 63 Honourable Members, 34 have declined to bring in their security documents. They received the money and when we appear before Committee on

Public Accounts, we have nothing to submit as security for the monies issued to the Honourable Members. Before we come to ask for security, kindly make our work easier.

3. CAR REIMBURSEMENT

Lastly, we have funds for car reimbursement and we all know that money has become so scarce. Some of the Honourable Members have refused to come for this money... kindly let us know if you are not interested. This is the last budget where we are factoring in funds for reimbursement; it will not be available in the next financial cycle. So, the seven remaining Honourable Members, kindly submit your documentation so that you are given the money.

On Tuesday next week, I will lay on this Floor the names of those who are yet to submit their logbooks for the car loans that were advanced as well as names of the 34 Honourable Members who are yet to surrender their title deeds as security for their mortgages. It is embarrassing that you got the money, yet we have nothing to hold on as security.

PAPERS

1. ANNUAL REPORT BY THE COUNTY PUBLIC SERVICE BOARD FOR THE PERIOD JANUARY TO DECEMBER, 2023
2. LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN FOR KAPSOKWONY TOWN 2023-2033
3. LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN FOR NAITIRI TOWN 2023-2033
4. LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN FOR KIMILILI MUNICIPALITY 2023-2033

Papers laid by the Leader of Majority (Hon. Joseph Juma)

Mr. Speaker: Honourable Members, the annual report by the County Public Service Board for the period from January to December, 2023 is hereby tabled. I commit the same to the Committee on Labour and Social Services for processing and reporting back to the House. The remaining Papers are committed as follows;

Local physical and land use development plan for Kapsokwony town 2023-2033, Local physical and land use development plan for Naitiri town 2023-2033; and lastly, Local physical and land use development plan for Kimilili Municipality 2023-2033; are all committed to Committee of Lands, Urban, Physical Planning and House for processing and reporting back to the House.

4. REPORT BY COMMITTEE ON ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS

Paper laid by Hon. Godfrey Mukhwana

Mr. Speaker: Honourable Members, the report by Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the Bungoma County Government Fourth Quarter financial statements for the period 30th June, 2023; with respect to the Department of Roads, Transport, Infrastructure and Public Works is hereby tabled and subsequently becomes the property of the House.

6. REPORT BY COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES

Paper laid by Hon. Martin Chemorion

Mr. Speaker: Honourable Members, the report by Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government fourth quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Tourism, Environment, Water and Natural Resources is tabled and now becomes the property of this House.

NOTICES OF MOTION

1. REPORT BY THE COMMITTEE ON ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS

Hon. Godfrey Mukhwana: Thank you Mr. Speaker. I rise to give a notice of motion that this House adopts a report by the Committee on Transport, Infrastructure and Public Works on the Bungoma County Government fourth quarter financial statements for period ended 30th June, 2023; with respect to the Department of Roads, Transport, Infrastructure and Public Works.

Mr. Speaker: Honourable Members, the Committee on Roads, Transport, Infrastructure and Public Works having given notice of motion, this report should be circulated to Honourable Members as it will form Business on our Order Paper in the course of the week or once scheduled.

2. REPORT BY THE COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES

Hon. Martin Chmorion: Thank you Mr. Speaker. I wish to give a notice of motion on the financial report by the Committee on Agriculture for the period ending June, 2023...it is Tourism, Environment, Water and Natural Resources...

Mr. Speaker: Hon. Cheseto, you are forgetting your committee and issuing a notice for Agriculture Committee? Do it again because you are on HANSARD. You need to have a copy whenever performing such noble duty for the Committee.

Hon. Martin Chemorion: I rise to give a notice of motion that this House adopts a report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government fourth quarter financial statements for the period ended 30th June, 2023; with respect to the Department of Tourism, Environment, Water and Natural Resources.

Mr. Speaker: Honourable Members, equally a notice of motion having been given by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government fourth quarter financial statements for the period ended 30th June, 2023; with respect to the Department of Tourism, Environment, Water and Natural Resources, I hereby direct the Clerks-at-the-Table to circulate the same as it will form Business on the Order Paper this week or once scheduled.

QUESTIONS AND STATEMENTS

1. STATEMENT BY MEMBER OF THE HOUSE BUSINESS COMMITTEE PURSUANT TO THE PROVISIONS OF STANDING ORDER NO. 47 (2) (A)

Hon. Johnston Ipara: Thank you Hon. Speaker. Honourable Members, I have the privilege to take you through the weekly program of the Business of the County Assembly for the week commencing Tuesday, 20th to Thursday 22nd February, 2024. The advantage is that the order for Tuesday 20th has already been dispensed with. With your permission Hon. I will proceed to Wednesday.

Wednesday 21st February, 2024 at 9:30 a.m.

Order of Business

Papers

- I. County Revenue Fund Quarterly report and financial statements for the period ended September 30th, 2023
- II. First Quarter Financial Statements for financial year 2023-2024 for period ended September 30th, 2023
- III. Second Quarter receiver of revenue statements financial year 2023-2024 for the period ended December 31st, 2023
- IV. Report by Sectoral Committee on Youth Affairs and Sports on Bungoma County Government Fourth Quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Youth and Sports,
- V. Report by the Sectoral Committee on Health Services on the Bungoma County Government Fourth Quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Health and Sanitation.

Notices of Motion

I. That this House adopts a report by Sectoral Committee on Youth Affairs and Sports on Bungoma County Government Fourth Quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Youth and Sports

II. That this House adopts a report by the Sectoral Committee on Health Services on the Bungoma County Government Fourth Quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Health and Sanitation.

Motion

Report by Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the on the Bungoma County Government fourth quarter financial statements for period ended 30th June, 2023 with respect to the Department of Roads, Transport, Infrastructure and Public Works

Wednesday 21st February, 2024 at 2:30 p.m.

Papers

I. County Revenue Fund quarterly report and financial statements for the period ended 31st December, 2023

II. Second Quarter financial statements financial year 2023-2024 for the period ended 31st December, 2023

III. Report by Sectoral Committee on Gender, Culture and Social Welfare on Bungoma County Government Fourth Quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Gender, Culture and Social Welfare

IV. Report by Sectoral Committee on Public Administration and ICT on the Bungoma County Fourth Quarter financial statement for period ended 30th June, 2023 with respect to the Department of Public Administration and ICT.

Notices of motion

I. That this House adopts a report by Sectoral Committee on Gender, Culture and Social Welfare on Bungoma County Government Fourth Quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Gender, Culture and Social Welfare

II. That this House adopts a report by Sectoral Committee on Public Administration and ICT on the Bungoma County Fourth Quarter financial statement for period ended 30th June, 2023; with respect to the Department of Public Administration and ICT.

Motion

A report by Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government financial statement for the period ended 30th June, 2023 with respect to the department of Tourism, Environment, Water and Natural Resources.

Thursday 22nd February, 2024 at 2:30 p.m.

Papers

- I. County Assembly of Bungoma first quarter financial statements for the period ended 30th September, 2023
- II. County Assembly of Bungoma second financial statement for period ended 31st December, 2023
- III. Report by Sectoral Committee on Labour Relations, Member Services and Facilities on Bungoma County Government Fourth Quarter financial statements for the period ended 30th June, 2023; with respect to the Department of Labour Relations, Member Services and Facilities
- IV. Report by Sectoral Committee on Finance and Economic Planning on the Bungoma County Government fourth quarter statements for the period ended 30th June, 2023; with respect to the Department of Finance and Economic Planning

Notices of motion

- I. That this House adopts the report by the Sectoral Committee on Labour Relations, Member Services and Facilities on Bungoma County Government fourth quarter financial statements for the period ended 30th June, 2023; with respect to the Department of Labour Relations, Members Services and Facilities.
- II. That this House adopts the report the Sectoral Committee on Finance and Economic Planning on the Bungoma County Government financial statements for the period ended 30th June with respect to the department of Finance and Economic Planning.
- III. Member of the House Business Committee pursuant to the provisions of Standing Order 47(2) (a) will inform the House of the weekly program for next week.

Motion

Report by the Sectoral Committee on Youths Affairs and Sports on the Bungoma County Government Fourth Quarter Financial Statements for the period ended 30th June, 2023 with respect to the Department of Youths and Sports

That is the program for this week and I lay it on this Honourable Table.

Mr. Speaker: Thank you very much Hon. Ipara for sharing the tentative Business for the House for the week starting today and ending on Thursday at 2:30 p.m.

MOTION

1. REPORT BY THE COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND CO-OPERATIVE DEVELOPMENT ON THE BUNGOMA COUNTY GOVERNMENT FOURTH QUARTER FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30TH JUNE, 2023

Mr. Speaker: Chair, Agriculture, Hon. Wafula Waiti!

Hon. Wafula Waiti (Chairperson, Committee on Agriculture, Livestock, Fisheries, Irrigation and Co-Operative Development): Thank you Mr. Speaker. Allow me read the report by Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development on the Bungoma County Government Fourth Quarter Financial Statements for the period ended 30th June, 2023.

CHAPTER ONE

Preamble

It is my singular duty to present the report by the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development on the Bungoma County Government Fourth Quarter Financial Statements for the Period ended 30th June, 2023; in respect to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development. The document was tabled in this House on 26th October, 2023 and was committed to all Sectorial Committees for their interrogation, input and recommendation through a report to this Honourable House.

Allow me skip the mandate of the committee since it is well stipulated in Standing Order 217(5) of our Standing Orders so that I start by reading the committee membership.

Mr. Speaker: Proceed!

Hon. Wafula Waiti: Committee Membership

Mr. Speaker Sir, the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development as currently constituted comprises the following Members:-

1. Hon. Wafula Waiti Chairperson
2. Hon. Idd Owongo Vice Chairperson
3. Hon. Everlyne Mutiambu Member
4. Hon. Isaiah Sudi Member
5. Hon. Alice Kibaba Member

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| 6. | Hon. Allan Nyongesa | Member |
| 7. | Hon. Alfred Mukhanya | Member |
| 8. | Hon. Franklin Simotwo | Member |
| 9. | Hon. Jerusa Aleu | Member |
| 10. | Hon. Benard Kikechi | Member |
| 11. | Hon. Caleb Wanjala | Member |
| 12. | Hon. Edwin Opwora | Member |
| 13. | Hon. George Tendet | Member |
| 14. | Hon. Martin Chemorion | Member |
| 15. | Hon. Metrine Nangila | Member |

1.3 Guiding principles in the Examination of the Bungoma County Government Quarterly Reports and Financial statements

In the execution of its mandate, the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development is given a legal backing under the Public Finance Management Act, 2012, County Governments Act, 2012 and the Constitution of Kenya 2010. These statutory provisions include the following:

1. Constitutional Principles on Public Finance

Article 201 of the Constitution of Kenya, 2010 enacts fundamental principles that “...shall guide all aspects of public finance in the Republic...” These principles include, inter alia, that:

201(a) there shall be openness and accountability, including public participation in financial matters; 201(d) Public money shall be used in a prudent and responsible way; and

201(e) financial management shall be responsible, and fiscal reporting shall be clear.

Section 149(1) (a) and (b) of the PFM Act, 2012 provides as follows...

“an Accounting Officer is accountable to the County Assembly for ensuring that the resources of the entity for which the officer is designated are used in a way that is;

- a) Lawful and authorized*
- b) Effective, efficient, economical and transparent*

2. Direct Personal Liability

Article 226(5) of the Constitution of Kenya, 2010 is emphatic that:

“If the holder of a public office, including a political office, directs or approves the use of public funds contrary to law or instructions, the person is liable for any loss arising from that use and shall make good the loss, whether the person remains the holder of the office or not”.

3. Obligations of Accounting Officers

The Public Finance Management Act, 2012 section 166 states as follows;

1. *An accounting officer for a county government entity shall prepare a report for each quarter of the financial year in respect of the entity.*

2. *In preparing a quarterly report for a county government entity, the accounting officer shall ensure that the report—*

(a) contains information on the financial and nonfinancial performance of the entity and;

(b) is in a form determined by the Accounting Standards Board.

3. *Not later, than fifteen days after the end of each quarter, the accounting officer shall submit the quarterly report to the County Treasury.*

4. *Not later than one month after the end of each quarter, the County Treasury shall—*

(a) consolidate the quarterly reports and submit them to the county assembly;

(b) deliver copies to the Controller of Budget, National Treasury and the Commission on Revenue Allocation; and

(c) publish and publicize them.

Acknowledgment

Mr. Speaker Sir, may I take this opportunity to thank the Offices of the Speaker and Clerk for giving the Committee logistical support that made this exercise a success.

I also appreciate the Honourable Members and the secretariat of the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development for dedication in carefully examining the fourth Quarter Financial Statements FY 2022/23 for period ended 31st June, 2023 and compilation of this report.

Further, this Committee extends its gratitude to the Executive Arm of the County Government, Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development for honouring the invitation to appear before the Committee for the interrogation and shedding light; in addition to providing supporting documents as requested by the Committee.

Mr. Speaker Sir, it is therefore my privilege, on behalf of this Committee to table the Report on fourth Quarter Financial Statements Financial FY 2022/23 for period ended 31st June, 2023 in respect to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development.

Signed by Hon. Wafula Waiti – Mca Naitiri Kabuyefwe Ward; Chairperson, Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development.

CHAPTER TWO

Key Highlights on the Bungoma County Fourth Quarterly Report and Financial Statement for the Period Ended 30th June, 2023

Actual revenue received in the Fourth Quarter of the Financial Year 2022/23

Mr. Speaker Sir,

In the financial year 2022/2023, the County had projected revenues of Kshs14,824,738,616 as at 30th June, 2023, the total actual amount received by the County was Kshs11,863,518,430 hence a deficit of Kshs2,961,220,186.

The source of the amount was as shown here below;

- a) Exchequer releases Kshs11, 863,518,430
- b) Other receipts (Mabanga ATC) Kshs27, 120,967
- c) Equitable share b/f Kshs867, 288,520
- d) Local revenue Kshs330, 427,053
- e) Grant- NARGIP Kshs180, 705,535
- f) Grant- ASDSP II Kshs5, 344,642
- g) Kenya Urban Support Program Kshs3, 534,475
- h) FLLOCA Kshs11, 000,000

The amount was after approval of the Second Supplementary Budget in the FY 2022/23, the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development was allocated Kshs1, 232,138,834 comprising of Kshs449, 036,159 for the recurrent vote and Kshs770, 036,212 for development vote respectively.

There was a positive realization in some revenue streams in the department despite the fact that there was a deficit in the general revenue generation and hence the target was not met.

Revenue Performance

The revenue performance of Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development as at 30th June, 2023 was as shown below:

There is a table showing the number of item, Revenue Stream, Annual Targeted Revenue (Kshs.), Actual Revenue collected (Kshs.) and Variance

No.	Revenue Stream	Annual Targeted Revenue (Kshs.)	Actual Revenue collected (Kshs.)	Variance
1.	Exchequer	855,433,374	843,361,216.9	-12,072,157.08
2.	Conditional Grants	346,536,374	346,595,427.4	59,053.40
3.	Mabanga Agricultural Training Centre	23,112,086	21,737,621.7	-1,374,464.30
4.	Mabanga Agricultural Mechanization Centre	3,000,000	3,891,010	891,010.00
5.	Livestock/ Vet Fees	3,507,000	2,678,540	-828,460.00
6.	Cooperative Audit Fees	450,000	702,455	252,455.00
7.	Chwele Fish Farm-Sale of Fish	100,000	106,100	6,100.00
Total		1,232,138,834.00	1,219,072,371	-13,066,462.98

Budget Execution by Programmes and sub programmes

A breakdown on the budget execution of programmes and sub-programmes indicated as follows:

- General Administration, Planning and Support Service; the approved allocation was Kshs381, 869,860, the Department absorbed Kshs380, 640,436 representing 99 per cent absorption rate.
- Human resources management; the approved allocation was Kshs322, 429,082, the Department absorbed Kshs322, 213,148 representing 100 per cent as the absorption rate.
- The land and crop development consist of crop production and productivity, value addition and agro processing and irrigation extension and training had approved allocation of Kshs367,955,000 the department utilized Kshs367,955,000 at 100 per cent absorption rate.
- Livestock production development management had approved allocation of Kshs56, 310,000 with an expenditure of Kshs51, 595,296 at an absorption rate of 92 per cent

- Disease and vector control had approved allocation of Kshs7, 000,000, the Department absorbed Kshs6, 260,000 representing 89 per cent.
- Food safety and quality control had approved allocation of Kshs5, 500,000 the Department absorbed Kshs5, 259,005 representing 96 per cent.
- The fisheries development and management on extension service, training, product value chain development, production, agro-processing and value addition had approved allocation of Kshs6, 500,000 with expenditure of Kshs6, 182,145 at 95 per cent absorption rate.
- The Agricultural enterprise development (ATC) had a recurrent expenditure of Kshs6, 400,360 at an absorption rate of 98 per cent
- Tractor hire services had approved allocation of Kshs5, 000,000; the same was absorbed representing 100 per cent
- NARIGP had development expenditure as at 30th June, 2023 at Kshs332, 916,544 at an absorption rate of 96 per cent.
- ASDSP II approved allocation of Kshs13, 619,830 as at 30th June, 2023 the Department absorbed Kshs25, 623,956 at an absorption rate of 188 per cent in surplus of Kshs12, 004,126. The Committee was informed that the surplus was as a result of carry overs from previous financial years by the donors as conditional grants.
- Ward based projects has an allocation of Kshs17, 848,000 had an expenditure Kshs12, 999,745 at an absorption rate 73 per cent.
- The pending bills for the Department was Kshs120,443,089, the Department has paid Kshs24,522,966 leaving a balance at Kshs95,920,124 as at 30th June, 2023.
- The Department had an approved supplier credit of Kshs7, 578,853 under recurrent of Kshs50, 098,437 and development Kshs6, 427,336 for Ward based projects.

CHAPTER THREE

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

Committee's General Observations

From the submitted fourth quarter report and the oral submissions during the interrogations, the Committee observed the following.

- (i) Kshs27, 120,967 was realised from Mabanga ATC which is 15 per cent of the total expected County's Appropriation-In-Aid

- (ii) Mabanga Agricultural Mechanization Centre, Cooperative Audit Fees and Chwele Fish Farm surpassed their targeted revenue collection.
- (iii) Cooperatives Development had nil allocation in development vote
- (iv) The executed programmes were not broken down into activities for the disclosure of detailed information on the actual budget implementation.
- (v) There was no breakdown to ascertain the number of casual in the department and other institutions within various sections in the department despite the allocation reporting 100 per cent absorption.
- (vi) During the period under review Kshs32, 531,259 was paid for crop insurance of 45,002 farmers and 100 per cent absorption rate was recorded. However, details regarding the actual beneficiaries were not provided to warrant the expenditure.
- (vii) Despite recording a high absorption rate from donor funding i.e NARIGP and ASDSP II the impact of the programme would not be confirmed.
- (viii) Prioritization for clearance of pending bills was not observed.
- (ix) The financial statements did not capture the operations and expenditure reports of Chwele fish farm, hence contravening Section 166 of Public Finance Management Act, 2012.
- (x) The Pending staff receivables (outstanding imprest holders) in the Department of Kshs3, 276,225 had all been cleared and none was outstanding at the time of interrogation.

General Recommendations

- (i) Pending bills should be given first charge and settled in compliance with the presidential directive that is still in place.
- (ii) The Department should strive to ensure optimum realization of Appropriation in Aid (AIA) and reporting.
- (iii) In subsequent financial years, the Department should provide an allocation for Cooperatives Development to revive the Sector
- (iv) At the time of financial disclosure the Department should ensure that the executed programmes are broken down and activities clearly outlined for transparency and accountability as per the approved budget.
- (v) The Committee affirms that Crop Insurance Budget should be done away with until the requisite guideline framework is put in place.

(vi) The number of casual in the Department and other institutions within various sections in the department should be clearly elaborated to match the 100 per cent absorption as reported.

(vii) The impact of donor funded programmes by are yet to be felt and the Department is tasked to undertake viable and feasible projects for the benefit of the residents of the county.

(viii) Strict compliance to Section 166 of Public Finance Management Act, 2012 should be adhered to in future financial statements reporting in regard to Chwele Fish Farm.

(ix) The Department is encouraged and directed to ensure compliance to the provisions of regulation 93(5) and (6) of the Public Finance Management Regulations 2015 as read together with section 197(k) of the PMF Act 2012 in respect to management of imprests.

Mr. Speaker, there is a follow up of adoption schedule signed by Members of the Committee and at this point I now call upon Hon. Martin Cheseto Chemorion to second the motion

(Applause)

Mr. Speaker: Hon. Martin you do have the honor of seconding your report as a committee

Hon. Martin Chemorion: Thank you Hon. Speaker. First and foremost, I wish to give thumbs up to my Committee Chair, Hon. Waiti for exuding energy and confidence while reading the report. I have a few comments to make. As well captured by the chairperson, Hon. Waiti on the issue of conditional grants in terms of perfect financial performance, the amount that was given, the target amount that was targeted and vis a vis what was the actual.

Actually you can see about zero variance and yet, all these monies have been disbursed to undertake various agricultural activities on the ground but on the ground there is little show. If consultancy on impact assessment on donor funds was carried out whenever these activities or project interventions were done, the picture or the kind of report that will be will come out. I know it will not be very nice to the County Administration because the impact is not felt.

If I give you an example like my Ward Cheptais, we received approximately Kshs15 million, but when you go to the ground, there is little to show and all those circles that are being formed. So you wonder if there is a clear monitoring system or tool that the Department can follow up on and carry out an impact assessment on the project.

Another point is that as it was observed, Chwele Fish Farm performed positively in terms of revenue generation and of course in terms of even the impact itself; the kind of produce that they yield is impressive. We visited there and saw that actually that Department is doing great. In a nutshell, just want to ask Honourable Members as I second this report is that they look into it and pass it.

Mr. Speaker: Thank you Hon. Martin. Honourable Members, I will now proceed and propose a motion for debate.

Motion Proposed

Hon. Joseph Nyongesa: Thank you Speaker. First and foremost, allow me to appreciate the chairperson of this Committee; though in his body language, it is like he had somebody specific to second him, but unfortunately he or she was not around. Therefore he decided to land on Hon. Martin... but we do appreciate. Actually, what we are learning is that some of our departments are really working hard because I am seeing in some, in terms of revenue collection and the target set... but the only challenge is that seemingly there is no motivation for our staff and that is why we are lagging and maybe losing the target.

I have been looking at the issue of Mabanga Agricultural Training Centre whereby the target was Kshs23 million but they only managed Kshs21 million. They had a deficit of negative Kshs1,374,000 Compared to Mabanga Agricultural Mechanisation Centre; whereby the target was Kshs3 million, but they managed to raise Kshs3.8 million. When you compare under the same management, you will see some departments are working hard to ensure that they surpass the target. It is through the Committee and the management to ensure that for us to collect more, we should try and motivate our staffs and ensure that we meet the target.

Another critical issue that I am looking at is this issue of disclosure of the casuals who are working in those departments. It clearly shows that there is certain information that is being hidden from us. Who are these casuals yet they are working there? Again, as the Chwele Fish Farm was performing well, they also failed to disclose how they were expanding. So these are the challenges that we are facing through this section of the Assembly, the oversight team. I think we just change the format of giving observations or recommendations. Otherwise, I support.

Mr. Speaker: Thank you Hon. Leader of Majority. Hon. Ipara?

Hon. Johnston Ipara: Thank you Hon. Speaker. Let me laud the Chair for presenting a good report that gives us the details of what is happening in the Department of Agriculture. On the outset, I was also worried on Mabanga when the Chair said that the Mabanga on AIA got Kshs27 million, which was 15 per cent of their expectation. That means that 85 per cent was not realised. If really you are in serious business and you are a CPA holder like my brother Nganga, then you will say that the business is not performing. For this one, we want to call the Chair to go back and find out exactly what happened that barred the Department from realising the difference?

When we talk about Agriculture, it is the backbone of the economy of this country and more so, the economy of our income account and all of us depend on agriculture for our survival. I wish to appeal to the Chair to convey this message to the CECM; that our interest right now is on cattle

dips. How do we rehabilitate dips that have been abandoned for more than 10 years and that have affected livestock farming? If we can do this, we shall assist our farmers to generate more milk and we shall have so many depots within which they can sell milk and get good returns.

This is the highest time that we should also run away from the non-productive areas of farming; because right now in Bungoma County, when you talk about any crop that can get us money, we talk about maize and we talk about cane, but we have forgotten indigenous crops such as cassava, finger millet, sorghum, sweet potatoes among others. If today you walked to the Bungoma open air market and you randomly checked on the prices, you will find that two kilogrammes of finger millet is costing more than Kshs300 compared to maize which sells at Kshs100. When you talk of intensity, the intensity in the finger millet is not comparable to maize.

So we wanted to recommend that we encourage our people. We send field extension officers to assist them to realise the best farming practices. When you look at the western part of this country, it is good for planting mangoes, it is good for planting of oranges and if we ventured into that, it will earn us money that we don't have currently. So these are the areas that the Agriculture Department and the CECM should look into seriously.

I was also shocked when the Chair said that tractors hire... and when you hear the word hire, it means that you are hiring out for purposes of making profit. You will spend Kshs5 million and I never heard the Chair at any given time inform this House of any returns that we got out of the Kshs5 million. So he needs to explain to us, was that hire on subsidised or it is hire in words and in real sense it was a Red Cross service.

We have been told about insurance cover. The first thing that came into my mind was which type of crops that were insured and which farms were covered? How much was the value of the plantations that were covered? And lastly did the County get value for the money. I come from a Ward that is known for maize farming and currently in cane farming; but at no given time have I heard that the officers from the Department of Agriculture have been accompanied by the insurance firm to carry out valuation of our maize plantations. Maybe valuation of those who planted the cane using the fertiliser that was done... I never heard and it is so shocking when the Chair was reading out a report and picks on some selected persons on whose farms it was done... how was it done?

Lastly, fish farming currently is an agricultural area where all of us should venture into. We always talk about Chwele repeatedly as if in the Second Coming of Jesus. He will come to Chwele.

(Laughter)

Mr. Speaker: Honourable Member, proceed please, but as you do so, Hon. Waiti, this issue I once flagged it out. When you say there was a crop insurance cover, these Honourable MCAs are elected from wards and would wish to see those lists, because they know their electorate.

(Applause)

So they will end up coming with statements seeking that you bring the list of the farmers whose crops were insured!

(Laughter)

...and if money was paid, who were the recipients? I think I once prepared you in advance and so I think now they have finally come to find where you are. Prepare yourself... proceed, Hon. Ipara

Hon. Ipara: Thank you Hon. Speaker, I proceed. Fish farming is another area that actually if today you walked into Central Kenya, you will find that most of the farmers who were previously or traditionally involved in crop Farming are doing fish farming and if we used the finances that we generate from Chwele fish farm, we could have extended and also have nuclear fishing farms across the county. We can now task Chwele fish farm to look for the market and also look for the storage of those fish. With that, we shall be adding money to the pockets of our people. Hon. Speaker, I submit

Mr. Speaker: Thank you, Hon. Henry?

Hon. Henry Nyongesa: Thank you, Mr. Speaker. I wish to thank the Chair for Agriculture, Livestock, Fisheries and Cooperatives for the report that he has brought to the House. Though the report is too slim such that the Committee narrowed down on minor areas, I think they need to open up.

Agriculture being the backbone of this county and even the entire country, we may just say most of the stakeholders, especially the donors, are concerned about the food security and other matters in agriculture and that is why you find that most of the items that are donor funded add up on our resource envelop and to our revenue account; and an example is the NAGRIP and others.

I wish to say that we have serious areas that the Department should look at. You realise that this county is number one in food production and the Chair himself can confirm. That, for example, one of the Sub -Counties that is producing food in plenty and is housed in the County is Bumula Sub- County. Bumula Sub -County has two circles of food production. We want to start feeding the county as early as this March in terms of maize and in the month of June, you will realise that Bumula has an output of around 20 tonnes in the production of maize that we exporting outside

the Sub County. I am saying this in relation to number one; we have Miyanga market that can send to the market around seven tonnes yearly, Mateka, Kimwanga and so on as I name them...

In line with that, the government is very clear, that for every 1kg of maize sent outside the county in terms of commercial maize, the county is supposed to receive one shilling on it. When everything is in order in all the departments, you don't see anybody, especially now that the Chair is here; he cannot mention something called sales. That money was collected in terms of *Mheshimiwa* Ipara is also indicating...

Mr. Speaker: Honourable Member, you know where I am heading to. Just stick to either Kiswahili or English, or get tuition from one of my friends. He is good in sign language then you proceed.

Hon. Hentry Nyongesa: English is a growing language. I must have missed one sentence or one word. But I was saying that in terms of sales collection, I am not seeing anything indicated anywhere, especially the Agriculture Department that has the responsibility to find out if there is money that is brought in terms of the sales. I have specified that one shilling is equivalent to one kilo of maize that is collected from the County of Bungoma.

At the inception of the devolution and the Honourable Leader of Majority can confirm this, that we even had subsidized farm inputs including fertiliser and farmers were to pay money at the nearest office through an agent; either equity bank or whoever and the money collected was to be reconciled into a revolving fund where the county would plough it back to the resource envelope. We don't see those things happening! We don't know how it died and I think the Committee should revisit that.

Let us take an interest look at the Livestock Department where we have AI facilities. I am a livestock farmer there is no day that I have inseminated my animal...

(Laughter)

...though my brothers in the Livestock Department are using human insemination

(Laughter)

Mr. Speaker: Hon. Hentry Nyongesa, structure your communication properly because all these people are laughing that you have taken over somebody else's roles. Wind up please.

Hon. Hentry Nyongesa: Thank you Mr. Speaker and you see that activity is given at a cost...artificial insemination is given at a cost and we are looking forward to the County collecting revenue out of it. The Country is going artificial that is why even the president has announced clearly that we have a semen pool in Kitale where the County can export semen for the artificial insemination; for purposes of having pure cattle breeds. We are looking forward to the County getting revenue out of that and the chairperson should tell us something on the same.

Lastly, this County at one time spent a lot of money to acquire soil testing equipment; and around 2019, I had a very serious engagement with officers of this County exporting expertise to Rwanda in terms of soil testing, because of the equipment that we had. That means a country like Rwanda was paying Kenya due to the very serious equipment that we had for soil testing. I wonder how that programme died and I also wonder if the equipment is still there. They were brought in at a cost so that the farmer can pay something to find out if the soil is proper. Those are some of the areas that the chairperson should look into since we were to generate revenue for our County.

Otherwise I support the report, but next time, the chairperson should make sure that the report is elaborate.

Mr. Speaker: Before I invite Hon. Nganga, Hon. Waiti there is an observation. This is the challenge I am having with your report; it is interesting that your Committee's observations are supposed to lead to the Committee's recommendations; but now yours are not adding up!

Hon. Everton Nganga: Thank you Hon. Speaker for giving me a chance to contribute towards this motion. First I would like to thank Hon. Wafula Waiti, the Chairperson of the Committee for reading the report eloquently.

I am concerned with the negative variances of revenue that was generated basing on the targeted figures. The Department actually tried to come up, in fact in some areas, they were trying to surpass what had targeted but in total and at the end of everything, you discover that there was a very big variance. In most cases, you discover that these variances always interfere with the budget making process. When a budget is being prepared, it is based on the expected revenue and if the expected revenue is not collected, then it means there will be a negative impact on those projects that have been programmed to be executed.

The second issue which is actually glaring here and I am looking at the observation the way you had also mentioned, under observation number four, they are saying that during the period under review Kshs32, 531,259 was paid for crop insurance for 45,002 farmers and 100 per cent absorption rate was recorded.

I am trying to ask myself, which insurance company was actually involved in this and again I think this Committee should have gone ahead and demanded for the list of farmers. This number of 45,002 farmers is a very big and as an Honourable Member representing East Sang'alo; if I move around with this number, I must point out who are these farmers. In my Ward, I didn't see any and I cannot even recognize these farmers.

When you look at the recommendations just to justify what they have given us here; they are saying that the Committee affirms... which means they can attest; "the Committee affirms that the crop insurance budget should be done away with until the requisite framework is put in place." So this shows that these monies were used and the Committee has not given us proper

information on how they came up with a list of farmers per Ward, the names per sub-county and the criterion that was used to select the farmers.

When I look at this report, it should be put in abeyance and so I am proposing that if the Committee cannot give us proper information, this report should be put in abeyance or taken back to the committee so that they can give us proper information.

Before I sit down, I request Hon. Joseph Nyongesa to second.

Mr. Speaker: Yes Hon. Nganga, I was consulting first because you have two things in one, number one, you have given your contribution and at the end of your contribution, you have equally moved and you did not specify under which Standing Order you were moving me that the House does not proceed with debate on this motion... that debate be adjourned.

The challenge that I was trying to find out is, equally I am a farmer and I ask where the 45,002 farmers in Bungoma County whose crops were insured are? You know this report is contradictory. Hon. Waiti, look at your observations; “however details with regards to actual beneficiaries were not provided to warrant the expenditure...” look at you observation number six; you are getting me... under Committee’s observations. Then you come and recommend that the same be abolished because the Committee affirms that crop insurance budget should be done away with until the requisite guidelines and framework is put in place. So if there was no guidelines on how was the money spend, Hon. Waiti, we do not want to engage in these monkey games here, this one even if they don’t second it I send it back.

(Applause)

You were given here a medical cover; they kept on asking every person to bring the list of beneficiaries; once they get the data of the honourable MCAs they feed the same into the system. Now that women in our villages don’t have water, don’t have ECDEs and you are pocketing Kshs32Million here, it is not possible. Hon. Nganga, proceed and finish or I come out *suo motu* (on my own motion) and send it back.

Wait, we are sending back this report so that Hon. Cheseto can ask those questions from his Ward, Cheptais; that which farmers were covered? You are giving fertilizer to 500 farmers and he can give you a list of the farmers to whom the crops; whether it is coffee, maize, tobacco beans or sugarcane were covered? So Hon. Waiti with your CECM of Agriculture, you have to get serious! I will not allow this one.

Hon. Joseph Nyongesa: Thank you Speaker. First of all, allow me to withdraw my first statement of support.

Mr. Speaker: Hon. Nyongesa it is unheard of, what you can only do is support the adjournment!

Hon. Joseph Nyongesa: Actually I had not gone through the whole report and I wish to thank Hon. Ipara because when he mentioned the issue of insurance, it prompted me to call the Committee Clerk. I have gone through it and I have seen some gaps. I wish to thank Hon. Nganga for also noticing it. You know we are doing it for the benefit of our people and for the benefit of our County. Hon. Waiti as the Chairperson of the Committee, we respect you and we shall always support you; but on this one it is really worrying. If you can read this statement under observation number six; that, “during the period under review Kshs32,532,259 was paid for crop insurance for 45,002 farmers and 100 per cent absorption rate was recorded; however details regarding the actual beneficiaries were not provided to warrant the expenditure.”

The Committee is showing us that there was no truth in this one because they are saying, however there were no details... when you come to recommendation number five, they are saying now they better do away with it. If this House approves this report, then we shall also be encouraging corruption in this County. The details that we want are; we were issuing this fertilizer at 500 per Ward and so when you take 500 per Ward by 45 you get 22,500 farmers. Now they have insured 45,000 farmers, Mr. Speaker, don't you see that there is a game being played here? So let us request the Chair plus the Committee to go back and bring us details so that when we approve, we shall be approving something that we know that we have verified.

As you know, about the issue of insurance, no farmer was insured through my office. It is me who was giving out that fertilizer; now when they were rolling out insurance, which office were they using? Because my office was not aware and so we should dig deeper into this issue of KShs32, 000,000. I support the idea of taking back the report to the Committee so that we can have value for our money.

Mr. Speaker: Hon. Waiti say something but tell your CECM, I think she prefers facing me here and I think if she does not give me proper answers on this report, we will demand for that list here and once we have the list, I will allow Honourable MCAs for one week to go back to your Wards and physically confirm which farms were visited. The maize of Tongaren and Bumula don't mature at the same time. I have been told that in Bungoma by March, there is green maize, while in Tongaren it is when they are planting. So which farmers were covered in Bumula at the same time? Hon. Waiti, I know you are a very good man, but you are being let down by your people from the department and for me they will just come here because I think they like being grilled before the Whole House. I will give you a chance to say what you wish to say but on my own, under Standing Order No. 1, *suo motu*, I will send it back, proceed!

Hon. Wafula Waiti: Mr. Speaker it is like you have already ruled...

Mr. Speaker: No I have told you my mind and you are aware we have farmers in Naitiri/Kabuyefwe

Hon. Wafula Waiti: Mr. Speaker, I was wondering how my colleagues in this Honourable House are taking the insurance issue, because when for example you insure a vehicle, it does not mean that when you don't have or encounter accidents you insured for, you go and withdraw the money. Number two, I don't think as a Member of this Honourable House, I have missed three sittings under your watch; but there is no single day I have ever come across a member out of 45 Wards complaining on the floor of this House that he or she has faced a calamity in his Ward. So Mr. Speaker I concur.

Mr. Speaker: Hon. Waiti let me assist you, just kindly resume your seat. Whenever you give an insurance cover, if there is no calamity, there is no refund. We do agree on that; but for them to cover, they must go to the ground and take statistics of the farmers to be covered and the crops to be covered. We don't require a calamity to pay that. At the same time you are saying there were no regulations to pay this money, so we will allow you by giving you time.

What you are trying to avoid here is that you do not want to be seen to be part of the cartel that is pocketing this amount of money. I would not wish to be part of that. I am very young the way you see me...

(Laughter)

Hon. Waiti Wafula: Thank you Mr. Speaker. As a Committee we had already requested that we are given the list of the beneficiaries who are supposed to be insured and there is a booklet which they brought to the Committee to look at so that we prepare...

Mr. Speaker: Hon. Waiti, you know you are putting your committee in very awkward position. If you got the list, why is it not behind here as one of the annexures? You know when you say that, it means the Committee was in a hurry...forget about it being huge, you will be given time to verify those farmers, don't worry about that! Bring it here and every Honourable MCA will extract his farmers from each Ward and get to look at them. Forty five thousand people are not more than voters of Kanduyi Constituency. We are going to look at it; Kanduyi has only one hundred and twenty voters.

Hon. Joseph Nyongesa: Thank you Mr. Speaker. It is like Hon. Waiti is not aware of his report because if he can read for us observation number six, the whole of it is telling us that you had no information, yet as a Committee you have it. The report that you have given us seems not to be the right report. He better justifies so that at least we know if this is the right report that he did for us or an imaginary report that we are doing here.

Mr. Speaker: Hon. Waiti I will assist you this way because some of these questions cannot be answered by you as the chairperson alone. You have the committee, you have the secretariat, I would wish to give you more time to go and look at this report because the way things are observation number six and recommendations are contradicting each other. How long would you require?

Hon. Wafula Waiti: One week

Mr. Speaker: *Suo motu*, under Standing Order No. 1, I refer this report back to the Committee for panel beating. Let us have a proper report. To avoid failing to make a follow up, today is 20th of February, I will want to give you good time... I will give you two weeks and I wish to have feedback on 5th of March. Is that sufficient?

Hon. Wafula Waiti: It is noted Mr. Speaker.

ADJOURNMENT

Mr. Speaker: Honourable Members that was the last Business on our Order Paper. We will now adjourn our sitting and resume on 21st of February at 9:30 a.m.

The House rose at 4:12 p.m.