

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, 27TH FEBRUARY, 2024

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA
THE HANSARD- OFFICIAL REPORT
TUESDAY, 27TH FEBRUARY, 2024

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

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

PRAYER

PAPER

1. REPORT BY SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING ON THE BUNGOMA COUNTY GOVERNMENT FOURTH QUARTER FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30TH JUNE, 2023

Hon. Allan Nyongesa: Thank you Mr. Speaker. On behalf of my chairperson, I stand to lay on the Table of this House a report by Sectoral Committee on Education and Vocational Training on the Bungoma County Government fourth quarter financial statements for the period ended 30th June, 2023; with respect to the department of Education and Vocational Training.

(Paper laid by Hon. Allan Nyongesa)

Mr. Speaker: Honourable Members, the report by Sectoral Committee on Education and Vocational Training on the Bungoma County Government fourth quarter financial statements for the period ended 30th June, 2023 is hereby tabled and formally becomes the property of the House.

NOTICE OF MOTION

1. NOTICE BY SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING

Hon. Allan Nyongesa: Thank you Mr. Speaker. I stand to issue a notice of motion that this House adopts a report by Sectoral Committee on Education and Vocational Training on the Bungoma County Government fourth quarter financial statements for the period ended 30th June, 2023 with respect to the Department of Education and Vocational Training.

Mr. Speaker: Honourable Members, who are consulting, kindly do so in low tones! A notice has been issued by the sector Committee on Education and Vocational Training on the Bungoma County Government fourth quarter financial statement for the period ending 30th June, 2023 with respect to the Department of Education and Vocational Training. I equally direct the Clerks-

the-Table to share this report with Honourable Members. The same will come up as a motion in the course of the week.

MOTION

1. REPORT BY SECTORAL COMMITTEE ON HEALTH

Mr. Speaker: The concerned Honourable Member to move the motion. Honourable Members, we have to proceed, but what is coming out is that the Committee is not prepared and we will not allow such things to happen. Proceed!

Hon. Maurine Wafula: Thank you Hon. Speaker. We are well prepared; it is my seconder who has....

Mr. Speaker: How do you go to a farm without a Jembe or slasher? Proceed.

Hon. Maurine Wafula: Thank you Mr. Speaker. This report is on the fourth quarter financial statements for the period ended...

Mr. Speaker: Honourable Members, what you have taken for lunch today is interesting because you are consulting loudly. Let us proceed; but I have seen whoever you had picked is now in the House.

(Applause)

Hon. Maurine Wafula: Thank you Mr. Speaker. This report is on the fourth quarter financial statements for the period ended 30th June, 2023 in respect to the Department of Health Services and Sanitation.

The fourth quarter financial statements for the period ended 30th June, 2023 was tabled on 26th October, 2023 and submitted to the Committee for interrogation. The Committee interrogated the Department on 9th November, 2023 and thus submits its report herein below.

The report analyses expenditure of exchequer releases during the stipulated periods as well as the budget absorption rate in relation to the annual budget. It gives the legal background and objectives that informed the committee to analyze the financial statements as submitted and further through an interrogation process. The report also contains observations and recommendations unanimously adopted by the Committee.

MANDATE OF THE COMMITTEE

The Sectoral Committee on Health Services was constituted pursuant to the provisions of Standing Order No. 217 of Bungoma County Assembly and executes its mandate in accordance with Standing Order No. 217(5) which provides as follows:

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, coordination, control and monitoring of budget;
- b) Consider quarterly reports of the assigned departments and report to the House within twenty-one (21) sitting days upon being laid;
- c) Study the program and policy objectives of departments and the effectiveness of the implementation;
- d) Study and review all county legislation referred to it;
- e) Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- f) 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;
- g) To vet and report on all appointments where the constitution or any law requires the House to approve, except those under Standing Order 208 (Committee on Appointments); and
- h) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

COMMITTEE MEMBERSHIP

The Committee as currently constituted comprises the following Members;

1.	Hon. George	Makari	Chairperson
2.	Hon. Jerusa	Aleu	Vice – Chairperson
3.	Hon. Anthony	Lusenaka	Member
4.	Hon. Joan	Kirong’	Member
5.	Hon. Meshack	Simiyu	Member
6.	Hon. Milliah	Masungu	Member
7.	Hon. Grace	Sundukwa	Member
8.	Hon. Vitalis	Wangila	Member
9.	Hon. Tony	Barasa	Member
10.	Hon. Jack	Wambulwa	Member
11.	Hon. Orize	Kundu	Member
12.	Hon. Mourine	Wafula	Member
13.	Hon. Dorcas	Ndasaba	Member
14.	Hon. Jacob	Psero	Member
15.	Hon. Job	Mukoyandali	Member

LEGAL FRAMEWORK

The process of analyzing quarterly financial statements is anchored on various Kenyan laws that are enacted to support accountability and effective delivery of services to citizens in the spirit of promoting the goals of devolution.

The laws state the financial obligations of accounting officers and direct personal liability of officers who erroneously approve expenditure of public funds.

The Kenyan constitution

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, among others, 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.

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”.

Section 149 (1) an accounting officer is accountable to the County Assembly for ensuring that resources of the entity for which the officer is designated are used in a way that is;

- Lawful and authorized
- Effective, efficient, economical and transparent

Section 149 (2) in carrying out a responsibility imposed by subsection (1), an accounting officer shall, in respect of the entity concerned;

Section 149 (2) (a) ensure that all expenditure made by the entity complies with subsection 1

Section 149 (2) (f) bring a matter to the attention of the Executive Committee member responsible for the entity if, in the accounting officer’s opinion a decision or policy or proposed decision or policy of the entity may result in resources being used in a way that is contrary to subsection (1)

Section 149 (2) (q) provide information on any fraud, losses, or any violations of subsection (1) and provide explanations for the actions taken to prevent similar conduct in future.

Section 166 of the Public Finance Management Act dictates that:

a. An accounting officer for a County Government entity shall prepare a report for each quarter of the financial year in respect of the entity.

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

Contains information on the financial and non-financial performance of the entity; and

- Is in a form determined by the Accounting Standards Board

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

d. 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.

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 non-financial 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

It is in the interest of the Committee that the Accounting Officer in the department observed the Principles of Public Finance as laid down in Article 201 of the Constitution in managing the finances of the entity in the period under review.

TERMS OF REFERENCE

During the Committee sitting and as had been directed by Hon. Speaker on the floor of the House, the Committee resolved to interrogate the report on the fourth quarter financial statements for the period ending 30th June, 2023 with the following guiding principles:-

- i. To interrogate the departmental exchequer releases for the fourth quarter for both recurrent and development
- ii. To interrogate the Budget implementation reports; projects implemented as per the approved PBB and activity costing
- iii. Interrogate the personnel expenditures in the period under review
- iv. Interrogate the CEF project implementation status in the department for FY 2022/23
- iv. Interrogate the status of the outstanding Imprests and pending accounts payable

ACKNOWLEDGEMENT

I take this opportunity to thank the Office of the Speaker and the Clerk of the County Assembly for the logistical support accorded to the Committee as it executed its mandate. My gratitude also goes to all members of the Committee for dedicating their time to examine the report on the fourth quarter financial statements for the period ending 30th June, 2023 for the Health and Sanitation department.

It is therefore my pleasant duty and privilege, on behalf of the Sectoral Committee on Health Services, to table this report to the Assembly for deliberation and adoption.

Signed by Hon. George Makari, MCA, Musikoma Ward and Chairperson, Committee on Health Services

CHAPTER TWO

THE BUDGET IN THE FINANCIAL YEAR 2022/23

The county targeted revenue projection for the financial year 2022/23 was Kshs14, 824, 738, 618 as per the approved second supplementary budget. Of this, Kshs665, 486,021 relates to AIA projections for level 4 and level 5 Hospitals that report separately outside the County Revenue Fund leaving Kshs14, 159,252,597 as the expected revenue to be received through the CRF Account. By the end of the period under review, Kshs11, 890,639,396 had been transferred from CRF account to respective operational accounts and this represented 84 per cent of revenue realization.

The Department of Health and Sanitation had an approved Budget of Kshs3, 601,854,548 comprising of Kshs3, 434,904,489 recurrent and Kshs168, 665,103 for Development expenditure programmes.

GENERAL ADMINISTRATION AND PLANNING, AND SUPPORT SERVICES

Health Administration Planning and support services had an allocation of Kshs692, 826,019 where they absorbed Kshs66, 715,421. The amount includes grants amounts which were not realized by the department. A list of the activities undertaken is as follows:

Preventive, Promotive and Rehabilitative services

- The communicable and non-communicable was allocated Kshs18, 005,084 where Kshs7, 280,500 was utilized.
- The Health Promotion services allocation of Kshs3, 046,938; absorption was beyond by Kshs1, 153,062.
- The Diseases surveillance with an allocation of Kshs3, 046,938 saw Kshs850, 000 used.
- The community Health services allocation of Kshs78, 072,000 was fully utilized.
- The capacity building of CHVs spent Kshs3, 580,000 out of the approved Kshs10, 000,000.
- The retooling of CHVs kits spent Kshs2, 400,000 out of the approved Kshs10, 000,000.

Curatives

- The routine medical services allocation of Kshs153, 580,742.92 recorded an expenditure of Kshs84, 290,480.
- The blood bank Services was allocated 10,000,000 where Kshs1, 200,000 was utilized.
- The referral strategy allocation of Kshs987, 751 and nil expenditure.

Health Research

- The capacity development was allocated Kshs8, 200,000 where they utilized Kshs4, 250,400

Maternal and child Health

- The Maternal Services was allocated Kshs52, 969,787 while they spent Kshs25, 126,417.
- The Immunization Services was allocated Kshs1, 500,000 with zero expenditure.

Personnel Emolument

Personnel emoluments with an allocation of Kshs2, 388,001,123 for P&P had absorption of Kshs2, 293,081,763 leaving a balance of 94,919,358. The unspent balance was attributed to non-recruitment of the additional skilled workforce, an explanation that was not tenable since allocation for the vacant positions was only 50million. The contracted staff was allocated Kshs102million for the sub-county facilities including BCRH. Submissions from the department gives expenditures total of Kshs137, 819,896 for 10 sub-county facilities excluding Sinoko way above the budgeted amount by 35million. Explanation from the department indicate the amount was sourced from unspent allocation for the P&P.

DEVELOPMENT EXPENDITURE

Health and infrastructure (development) had allocation of Kshs168, 665,103 as detailed below;

- Ward Based Projects approved allocation was Kshs45, 829,000. The contracted sum was Kshs40, 713,232.80 for the 21 projects across the county. The reported expenditure is a paltry Kshs4, 105,243.55 that paid; Erection and Completion Works for Maternity Ward at Chepyuk Dispensary Kshs1.5 million and completion of maternity wing and 2No. Door pit latrines at Mayanja Dispensary Kshs2.5 million
- Equipping BCRH (300- bed capacity maternity wing) at Kshs38, 000,000; the amount was converted to completion of the project as opposed to equipping, funding works that were not in the initial BQ but essential before operationalization of the project. The amount expended was Kshs21 million as per the certificate raised
- Completion of Sirisia Hospital with an approved budget of Kshs15, 000,000 and Kshs11 million paid as per the certificate that was raised,
- Milembe dispensary construction at Kshs4M and Chwele KMTC Dispensary at Kshs4M had no expenditure recorded.
- Supplier Credit vote had – Ward Based Projects Kshs12, 287,565 and Kshs49, 548,538 for departmental projects. The expenditures are as detailed under accounts payable.

PENDING ACCOUNTS PAYABLES (PENDING BILLS)

The pending accounts payable (pending bills) across all the departments was Kshs713, 291,819. The department had an approved appropriation of Kshs103, 748,050 towards pending bills as follows:

	Health	Sanitation
Recurrent	27,617,133	0
Development	49,548,538	9,028,404
Ward-based	12,287,565	5,269,410

The financial statement shows a total payment of Kshs95, 543,781 out of the allocated Kshs103, 748,050 leaving an unspent balance of Kshs8, 204,269.

Recurrent pending bills payment shows three pending bills settled: Kshs30 million for KEMSA, Kshs212, 000 for computer accessories Agumary and Kshs2.4 million for fuel from M'BIG which were not captured in the approved budget list. Whereas the payment went beyond the budgeted amounts, none of the pending bills as captured in the approved PBB was settled.

Development pending bills allocation was Kshs76, 133,917 for departmental and ward-based pending bills in health and sanitation.

Departmental response

The Department provided detailed status on pending bills in Health and Sanitation with outstanding balances of Kshs84, 751,350. The amount paid out was Kshs79, 777,074 way above an approved allocation of Ksh76.1 million hence an over expenditure of Kshs3.6 million.

Notably, a number of pending bills with allocations were not paid, while others that were not captured in the PBB were paid.

ACCOUNTS RECEIVABLES (OUTSTANDING IMPREST)

The outstanding imprest across all departments amounted to Kshs288, 712,420. The Department of Health and Sanitation had a total outstanding Imprest worth Ksh14, 287,870 by the end of June, 2023. The following was noted from the list of Imprest:

- Some Imprest advanced are overdue for surrender dating back to October, 2022
- Staff advanced Imprest before surrender of previously held Imprest.
- Imprest funding activities not in the departments approved PBB e. g facilitation to Lake Region economic activities that has allocation under finance department.

CONDITIONAL GRANTS

The department expected to receive the following grants with no clear information in the financial statements on whether any grant was realized by the department:

- | | |
|--|-------------|
| ➤ MES Equipment | 110,000,000 |
| ➤ Unicef | 1,571,000 |
| ➤ DANIDA grant for universal Health care | 28, 605,056 |
| ➤ Covid-19 Grant | 9,856,193 |

The lease of medical equipment grant has been reported as released; submission required on which equipment were delivered.

Departmental response

The Department explained that the grant for DANIDA for universal Health care of Kshs28, 605,056 came in late, while the grant for MES Equipment of Kshs110, 000,000 did not come in the financial year under review. The grant (MES Equipment) is however meant for replacing broken down equipment and not in cash.

THE DIRECTORATE OF SANITATION

The Directorate of Sanitation had Kshs1, 715,044 recurrent and Kshs25, 026,858 for Development.

The sanitation management (development) was allocated Kshs25, 026,858 while they spent Kshs19, 127,587 on development with no expenditures reported on recurrent.

HEALTH FACILITIES

The 12 facilities including public health had a total budget of Kshs547, 236,097. The financial statement/expenditure reports tabled on the Floor of the House did not include expenditures for the facilities rendering them unaccountable to the County Assembly.

CHAPTER THREE

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

OBSERVATIONS

1. On personnel, the Department had a substantial amount of unspent balances on the allocation for salaries for the permanent and pensionable staff. The allocation for contracted was insufficient; with Sinoko hospital recording no data of contracted staff payments.
2. The Pending payments were made on some bills which were not captured in the approved PBB as illustrated under both Recurrent and development accounts payable.
3. Several Officers were advanced imprests without considering whether previously held imprests have been surrendered, resulting into multiple un-surrendered imprests held by an individual. Further, Imprests were advanced to staff to fund activities not budgeted for.
4. Implementation of ward-based projects was dismal with 9 per cent expenditure recorded.

COMMITTEE RECOMMENDATIONS

The Committee made the following recommendations:

- 1) **THAT** on personnel expenditure, the Department should abide by PFM Regulations. Section 119(2) that states that ‘*the budgetary allocation for personnel costs shall be determined on the basis of a detailed costing of a human capital plan of a county government entity*’ and contracted staff should be paid through IFMIS and IPDD platforms.
- 2) **THAT** implementation of Ward-Based projects should be hastened since they have a direct impact on the community.
- 3) **THAT** facilities (Sub-county hospital) should spend their budgets through IFMIS as opposed to a manual or cheque system. Accounting officers of the Facilities should report to the County Assembly Pursuant to the Public Finance Management Act, 2012 Section 166 (1),(2) and (3).
- 4) **THAT** Accounting Officer should account for grant and donor funds pursuant to the Public Finance Management Act, 2012 Section 138 (9)(b).
- 5) **THAT**, the Accounting Officers MUST comply with the provisions of Regulation 93(5), (6), (7) and (8) of the Public Finance Management Regulations, 2015 in respect to management of Imprest.
- 6) **THAT**, the budgets should be implemented as approved pursuant to PFMA 149 (1).

I will call upon Hon. George Makari who is our Chair to second.

(Applause)

Mr. Speaker: Hon. Makari, you proceed! You ought to have that copy. When they will be preparing...

Hon. George Makari: Hon. Speaker...

Mr. Speaker: Because during the time of the debate when preparing for the response, you must have somewhere to refer even if you are a genius. Hon. Makari, proceed!

Hon. George Makari: Thank you Hon. Speaker. I stand to second the report and maybe I can just highlight one or two things and this is especially on imprest. You find that in our observations, people were added more imprests when they had not even surrendered the previous imprest; and you can find that this issue of imprest cuts across almost all the departments. People remain with un-surrendered imprest then at the end of the day, they are added more imprest.

On CEF, you can find that the allocation was Kshs45, 000,000. By that period ending, only Kshs4.1 million had been spent. You find that in fact almost all, I do not know when we were in Kabula, I asked this and His Excellency the Governor answered; that most of the time money delays to be released from Nairobi. I do not know if this is also what is happening or this is a game to delay our projects.

You look at BCRH, the 300 bed capacity project, the amount allocated was Kshs 38, 000,000, the amount was misdirected to do completion of the facility instead of equipping; but in our budget, the issue was equipping not completion. Now they misallocate the money for completion and in the next budget, Chair, Budget you are here. They will now come to ask you for money to equip when you gave them money for equipping but they did not equip. They did completion of the facility.

There are around 12 health facilities with an allocation of Kshs 547, 336,000; and these facilities' financial statements and expenditure reports that were tabled on the Floor of the House do not include expenses for these facilities. This renders them unaccountable to the County Assembly. It is our preserve as a committee to dig deeper so that we find out where the reports of these 12 facilities went to because they were supposed to be submitted to the County Assembly for scrutiny and onward transmission to the Floor.

I do not have much; I wish to second the report.

(Applause)

Mr. Speaker: Thank you Hon. Makari, the Chair of the Committee. Honourable Members, allow me proceed and propose a motion for the House to debate.

(Motion proposed)

Hon. Job, proceed!

Hon. Job Mukoyandali: Thank you Hon. Speaker for giving me this opportunity. I have some few issues to put across on the report. First of all, let me laud Hon. Katila for eloquently reading the report and also thank the Chair for seconding the report. Some issues emanating from that report is that one, I want to go back to the issue that the Chair has talked about and elaborate.

This House sat and gave a budget to make sure that the 300 bed capacity hospital is equipped. When you look at the report, we have come out very clean that the money that we allocated as a House to equip that facility was used to pay for the works which are not even in the BQ. Those things we are calling variations cannot be justified in a way...that is a very bad trend and as a Department, if they continue working that way, we will find ourselves killing the health sector in the County.

Secondly, you look at the utilization of the monies that were given on different vote heads, then you go across almost every vote head, they underutilized the money and at the end of the day when we are talking about the issue of utilization of the funds that were supposed to be spent on CEF, only 9 per cent was utilized; but at the beginning of the report, we are noting that this money came in early.

The Department of Health is setting a very bad trend. If you look at what they are doing right now, most of the contractors have not reported on various sites. It is a very bad trend that that department is setting for us; because eventually we will find ourselves with pending bills. I think as a House we should wake up and put the CECM and Chief Officer on task so that they can deliver for us. If we do not do that, we will always find ourselves lagging behind on the issue of health.

Lastly, if you look at the issue of the outstanding imprest, somebody is added an imprest yet they are holding un-surrendered imprests since the year 2022. That is a very long time! They ought to have cleared and it is against the law to give an imprest to somebody who is holding an imprest. I submit.

Mr. Speaker: Thank you. Hon. Chikati, proceed!

Hon. Timothy Chikati: Thank you Hon. Speaker. Let me take this opportunity to thank the mover of the motion and the seconder. My only concern that maybe was not captured in the report is how many Community Health Volunteers benefitted from the capacity enhancement training where Kshs3.5 million was spent; and also in retooling the kits, Kshs2.4 million was spent and the report has not captured which type of tools were these.

Mr. Speaker: Thank you. Hon. Hentry!

Hon. Hentry Nyongesa: Thank you Mr. Speaker. First, I wish to applaud the Committee. As much as I support the report, there are some areas we need to look at critically and number one, as the seconder of the motion was putting across, we have serious areas where nuts must be tightened. You may find that as we are moving, some areas might be white elephants.

When you look at the 300 bed capacity project; and I want to refer to when His Excellency the President of this country visited this county and in fact in our Assembly here; I was thinking it was almost at 100 per cent completion. That the President has already delivered what he promised. From the Assembly the president right away moved to the 300 bed capacity where he officially opened the facility.

When the report is read and it states that Kshs38, 000,000 was again paid for finishing the project and yet the project was officially opened by the president, it leaves a lot of questions. Has the money been moved around using a pen for some people to benefit? If so as the members are saying, the explanation must be made very clearly.

We have areas that the Department of Health has put in a lot of money, not necessarily looking at the 300 bed capacity project. I am happy the members have even gone further to specifically mention a facility called Sinoko which has not been featuring in the county seriously but among other Sub county hospitals. Sinoko has also come out and in fact the mover of the motion has said, none was utilized on the contractual staff. I wonder whether members of staff are there or not, and if they are there, are they being paid or not? On that note, a lot of money has been paid at source. When I see the mover of the motion talking about...

(Loud consultations)

Hon. Speaker there is a lot of interruption!

Mr. Speaker: Honourable Members, consult in low tones! Proceed please, Hon. Hentry!

Hon. Hentry Nyongesa: Mr. Speaker, when the mover of the motion was mentioning about this contractual staff being paid through the IFMIS, I support that 100 per cent, but now you wonder, the contractual staff under the Department have worked for almost five, six or seven years and others are going almost 10 years. In brief, I am saying that immediately after the inception of devolution, most of the members of staff in that Department were put on contractual basis; and up to now, there is nothing that has been done. So even if we mention that they are going to be put on IFMIS, we wonder! 10 years down the line and somebody is still being given a contract! That is something the Committee should look at critically. I am a victim of the CEF projects and because this is a Legislative House and this report is consumed by the Executive, you wonder if under this financial year they have consumed only 9 per cent and we are almost ending the Year since we are almost in the last quarter. We are in March, so we are only remaining with three months to end the financial year.

I am a victim because during the last financial year, my project was not implemented and there were funds in the Department. I went ahead through the CEF to add some more money and up until now, there is nothing! Not even an advert for the project and we are moving towards the close of the year. I wonder if the Department is serious with this County. We thought that putting there all the medical personnel starting from the CECM, the Chief Officer, Director and all of them as medical personnel...now we wonder what is happening. If a community requires a facility called Lunao dispensary for the past 10 years and up to now there is nothing on the ground; and yet we have spent some money in terms of purchase of land for the same facility.

I am a neighbor to Hon. Otsiula who has three facilities. As we are speaking, they have personnel who were employed recently but there is nothing. The buildings are there, there are no drugs, no personnel to assist but we are talking about personnel in the Department; including contractual staff and they are being paid. I think the Department should pull up their socks so that our community gets something. Otherwise, I support but those serious areas must be addressed.

(Applause)

Mr. Speaker: Thank you Hon. Hentry. I will have Hon. Ipara but before he speaks, just a point to ponder as you move forward. Honourable Members, I am looking at recommendation number one by the Committee; that on personnel expenditure, the Department should abide by the Public Finance Management Regulations; Section 119 (2) that states that the budget allocations of the personnel cost shall be determined on the basis of a detailed costing of human capital plans of the County Government entity and the contracted staff should be paid through IFMIS and IPPD. The challenges I am having members even some of you here elected MCAs, when you got elected, you had challenges of getting your personnel numbers despite being elected and having been gazetted.

For you to get contractual staff to get IPPD numbers, you must have a minute employing them through the Service Board. I am aware that some of you had those challenges. Now when you are asking the Executive to get these people to have IPPD numbers so as to get on the IFMIS system, it means they are going to be employed through the backdoor so that we can have those minutes. So as you are doing so, ponder about it.

As you are doing so, I am aware that some of you in this House are aware of the challenges you faced to have those numbers. Those who are in the system like Psero and...

(Loud Consultations)

No, I am just asking you to ponder over it because I am flagging it out for you to think about it. I am not taking any side, but I am just saying, think about it. Hon. Ipara! I need to know what you had for lunch... Hon. Mukhongo! Proceed!

Hon. Johnston Ipara: Thank you Hon. Speaker. I was also getting confused whether you are also participating in debate, but you have made clarification.

Mr. Speaker: Don't get confused at this young age. Proceed!

Hon. Johnston Ipara: Thank you Hon. Speaker. First of all let me laud Hon. Katila for taking us through the report very clearly and I also wish to thank the Committee for reporting things the way they are and this is the way that we are supposed to do; but recommendation number one is misplaced because the Employment Act is very clear... only a person who is employed on permanent and pensionable terms is one that is allocated a personal number and ends up in the IPPD system. So, that is misplaced.

Actually, this report informs this Honourable House; one, either the County Government of Bungoma employed CECMs and Chief Officers who were incompetent and that is why what is being reported from the first page to the end from this particular department is nothing but inefficiency.

You have been informed that Kshs14, 000,000 is outstanding in the form of imprest. The Public Finance Management Act is very clear and it directs everybody that at the end of the journey, the imprest must be surrendered. I keep wondering as to why most of our officers in these departments do not surrender imprests within the stipulated period of time. That leaves a question that either this imprest that was allocated to the departments is in excess and that is why they issue them to any Harry who rushes there for money; whether you have surrendered or not. That is why in the same report it talks about duplications in the issuance of imprests.

A person that has not surrendered does not qualify for an imprest and the regulations are very clear. If you have an outstanding imprest, you will never receive another imprest. That is very clear then in this Department it is allowed.

It is also shocking to find that Kshs110, 000,000 which was intended for mace equipment, these are utensils... this money, they are not even able to explain on which items it was used on and when we talk about procurement, we have very few documents that guide whether goods are delivered or not. One is a delivery note; it indicates what was delivered and received. Number two is an invoice; it shows what was paid for and the most paramount document here is either the LPO or the LSO because it did order this particular person that we require the following items on the quoted prices, supply them and if we were really follow to the procedures, why are we not able to come out with a clearer picture on what was received?

When I hear about the Sanitation Department, it makes me think twice whether this department intends well for our market or it does not. If you walked on most of our major markets, very essential facilities in the name of water and washrooms are not there. How would we expect those who do business within those areas to operate? We need to stand our ground; we need to stand up as a House and we need to play our role which is stipulated in the statutes. One is representation and a very strong one is oversight; which seems like it has run away through the window.

When your department does not spend the money they indicated in the budget that it was essential and vital, what does it mean? Either it was intended for fraud! Either, this informs that we have ghost workers in that particular department or there is somebody who plays with their budget to steal money from people of this county.

Lastly, Kshs38 million was intended for purchase of 300 beds and this money is converted into project completion. The first question that could have run into the minds of the Committee members is where did they draw the authority to convert funds which were approved by this House? And even after listening through, the mover of the report, I did not hear even a bit of it, that they even obtained authority. As it stands, Honourable Members, that purely is an audit query because the intended purpose was not realised.

Then the question that is left with us is where is this particular government taking us? And why are they doing these things when they know very well that the law does not allow? Does it mean that some of us who go there, discuss with them and tell them just do them the way you want to do them we shall protect you? And if that is happening, are we really in the same county? I see today for the first time my Chief Whip smiling on a statement that I have made and he has never done that before...

(Laughter)

(Applause)

It is pathetic and it informs me that we are in trouble and that personally I wish to request the Chair, Budget and Chair, Finance... Never sympathise with these people when you go for budget making. Make sure that the request by the Honourable Members for CEF funds to be increased to Kshs50 million... don't sympathise! Let us support that. I submit

(Applause)

Mr. Speaker: Thank you, we will have Hon. Sudi and thereafter I will have Hon. Aggrey Waliaula and then finish with Hon. Ali Machani on this side.

Hon. Sudi Busolo: Thank you Hon. Speaker for giving me this chance to also add my voice, my contribution on what my other colleagues have said. I have also listened very keenly to the report but I am left wondering; equipping a facility that is not complete! The Committee should have gone deeper to find out whether the building that was intended to be equipped was completed. I think that is why maybe the money was wired or was diverted towards completion.

How do you equip incomplete facilities in the first place? The Committee should have allocated money for completion, then we look for money for equipping; and more so, we allowed the president to open up that facility and he promised that the government was going to equip. Maybe that prompted the Department to look for means of completing the facility, so that they receive equipment from the National Government. We are also entitled to get things from National Government because the President opened the facility. The issue of equipping should not be with us again. We should ask the County Government to come equip it because the President promised.

Finally this issue of interest is not in this Department alone; it cuts across since 2017 when I became an MCA and we have been talking about it. Does it mean that this House has nothing to do or cannot make? Because it is a song year come, year go! In every financial statement that we interrogate, there is an issue on imprest. I don't know what we should do as a House because it is now a song and just like the Bible because you can't change it. Every other time and in each Department, you will find one person with either an imprest or two and are not surrendered. So as a House, I don't know... maybe we can come up with legislation. I don't know but this is an

issue that the Executive has to style up on because we must have a way of checking whether they have put public money into good use.

When we come to the end of the year, you will see them saying that it was surrendered but where is the surrender? We have a procedure of surrendering imprests and the PFM is very clear that within seven days, unless there's an explanation. That explanation never comes. People have imprests from 2019, 2020 and they are there. Like this time, this Government is giving imprests even to contracted staff; which is against the law. Someone who is on contract is given an imprest... a casual! Surely, if I am the one and you give me a Kshs2 million, I will go away with it because we are really risking as a county.

Health Department is one of the departments that have not disclosed the exact pending bills... we keep on talking about pending bills. Finally, when the Budget Committee is out, you will see them come in that we have so much pending bills; but when they appear before the Committee, they don't talk about it. The contractor has just called me, one who constructed a dispensary in my Ward... that he is being auctioned and I told him I never saw any pending bill in the Department of Health because it never came clearly.

So those are the issues that as a county and those that are entrusted need to work very well upon and save this county. Because if a contractor, whether a Kenyan or not is auctioned because he constructed a dispensary in South Bukusu, it is we the users who are enjoying, but look at it, these properties are sold and you know, you cannot take away the property and go with it. I rest my case

(Applause)

Mr. Speaker: Thank you Hon. Waliaula.

Hon. Aggrey Mulongo: Thank you Mr. Speaker Sir for giving me this chance at least to contribute towards this important motion. Everybody is healthy here because of facilities that we always go to. I take this opportunity to thank the Committee and rather the mover of the motion. Last year I was on this floor talking about this Department. I told the sector Committee on Health to go and look into it and up to now they have never taken initiative. I said CHMT- the County Health Management Team is not from Bungoma and the reason why all these measures are coming around is just because of the management of the health facilities.

On the issue of this report, when we want to manage our county properly... it is a shame for this county to have taken our own President, His Excellency to that facility and then at the moment we are hearing these stories of an unfinished, unequipped building. As a House, for the 300 capacity building, they saved around Kshs38 million... if it is Kshs38 million, Kshs21 million

that was used and Kshs17 million was the balance. Where is this Kshs17 million if you can calculate...

Honourable Members, this is now an eye opener to us. Let us now focus onto it properly and let us do our oversight; because whatever has come out, if we are not going into it, especially now like Sinoko; all the pending bills that were brought from the Department and up to now, there are people who claim that they have not been paid since 2020; some of them from 2021 and others since 2022. So let us look into this CHMT. I am telling you, we are going to take this only but quarter way. We are now going to have problems ahead of us because we have employed non Bungoma residents.

(Applause)

Mr. Speaker: Thank you Hon. Ali Machani, then I will have Hon. Barasa Mukhongo.

Hon. Ali Machani: Thank you Hon. Speaker for giving me an opportunity to raise or add something on this report. First of all, I wish to thank the Members of this Committee under the able leadership of Hon. George Makari; a very able Chair whom I served under in the last regime. I am sited here but there is a lot of murmuring, coming just from the next door here. So I don't know if we have another debating chamber.

Mr. Speaker: Hon. Ali Machani just proceed, we will find out who are those murmuring behind you.

Hon. Ali Machani: Hon. Speaker I am scared. You know having...

Mr. Speaker: Kindly proceed...

Hon. Ali Machani: So Hon. Speaker I wanted just to advice then we move on. That within the laws governing any Commonwealth debating House, the Speaker has an upper hand to point out areas and that is why he is a moderator. It does not bar him from pointing out areas that we need to address as a House and that is why he is sited to guide us.

To move on, this team has really worked, but the only problem comes from the Executive and I will say this; that after every five years, when every Governor comes in, he will always convince this House that these are the top cream people that I have given you. If they will be vetted and be recruited, they will serve this county and they will be giving back to the society.

I just want to run away from my brother Hon. Mulongo who has pointed out that we employed or we put people to serve on committees from outside this county. Outside there, we have our brothers and sisters serving in different capacities. We should not remain Bungoma... we should

open up and reach others. We have a dream that one time, people will come from this area also to rule this country, but if we are just confined in thinking about Bungoma and ourselves, I think we are not attracting other people to admire us and give us a chance also to serve this nation.

What am I saying? The laws of putting up committees in this country are very clear. Even in recruiting, we have 30 per cent from outside and we have opportunities for disability; we have an opportunity for gender and other things, but what we should be very keen on is when given that chance to serve our people, are you serving them diligently? That is the point we should be talking about in this House. Anytime we speak, we go about talking about others and this House is a House of records. Someone will come here will want to hear what we are debating. Those of us seated here, if you ask us our origin 2 per cent might be owners of Bungoma but 98 per cent are from outside Bungoma.

To stick on this debate or this report is that Health officials the Executive side have never opened up to support the Department. We have gone as far as purchasing serious equipment. I can remember from the outset, that when we started this county, we have spent a lot of money and people like Hon. Mukhongo and the Hon. Leader of Majority; that whenever we go into every financial year, the Health department will always get a lion's share in every allocation. When we compare what they do versus what we have allocated, sometimes you can even blame the Chair. If there is a Chair I have worked with and very competent, it is one Hon. Makari. Very straightforward and even when he meets the Governor, he will not sweet talk him.

(Applause)

I have seen him several times; he was tough on the former Governor and even the current one, as much as they are in the same party. I am saying that this team in this House are more than willing to make this county go far, but the problem with the Executive, this team from the Executive are not ready. Whether you take them left or right, they will not assist us much. Living example in my ward, they picked on a contractor; we allocated Kshs3.8 million to put up a dispensary. Now it is about three years and whenever you ask, they just go round and round. They will send a team to go there...

Sometimes you wonder whether the Executive themselves are the contractors. They have companies that have formed so many bureaucracies. If you want to get any information, you will not get it on your fingertips. It has made even if the Governor brings an angel, he will be in trouble because this team is not opening up to assist any leader that is coming. We can change governance from left to right, but the problem we have will not go. If you don't have a team that is willing to support the system, they will always curtail the system and you can't move that tradition. We are here to stay. It cannot take us far.

Multiple members have set aside a lot of money for the CEF- Community Empowerment Fund, but this money has not made us to feel like we are moving on. Why is it that the Members of Parliament through CDF are serious leaders and are seen going everywhere? They can move with the cheques; but for us as Honourable Members serving the county, doing a very noble activity to serve the community and we are being curtailed by the Executive just because people have the interest.

You can see people have imprests they don't want to surrender. Some of them are connected. You will just find someone, a junior staff but he has a lot of powers than even a CECM. So these are the things I don't know how we will do because nowadays, I don't see the Liaison Officer here. I don't know whether he was sacked or what happened.

Mr. Speaker: No today he sought permission to be away... he sent me a text.

Hon. Ali Machani: That is okay but we would wish that whenever we approve anything in this House, let that report reach the table of the Governor every evening. We wanted the Governor to leave a legacy. This county is number three in this country in terms of population, but when you see our performance, in fact, I was happy recently when they said the Assembly has really improved to some level; but you go to the Executive, it is the one that makes us to go down. People think when you talk about Bungoma they just see the results of the Executive; they don't see the results of the Assembly. So we can pass so many resolutions, policies but if the implementers are not seriously assisting us, I think will be in trouble.

I want to appeal to this House and I can see the spirit now has changed. The spirit in this House is not all about parties; it is all about what are we leaving behind. I am in Azimio my colleagues are in Kenya Kwanza but we have reached a point and we have sensed that the Executive wants to fail us and whether elected or nominated, we have a serious concern of serving our people. So Hon. Speaker, as you guide us, as you moderate us, pray for us... Pray for us! I know bishops are here.

(Applause)

Do your work properly so that these things at the Executive can change and put them on the right track; that we must leave Bungoma better than we found it. Someone is calling me...

Mr. Speaker: Thank you Hon. Ali Machani, Hon. Barasa Mukhongo. I beseech you to have your phones on silent mode or on vibration. Proceed.

Hon. James Mukhongo: Thank you, Speaker. I stand to support the report but I wonder when the seconder of the motion really raised some pertinent issues which we can't overlook as a House. Issues touching on the non-surrender of imprests; it is an animal in the House and I can

ride on what Hon. Ipara has said. Inefficiency in some of our departments is being seen. You know the Chief Officers are the people responsible and were vetted by various sectoral committees in this Honourable House. We approved them here and what they were promising was heaven but it is the exact opposite.

Hon. Speaker why do we have pending bills year in year out. You will realize even at the moment that there are some departments that have no contractors on site and time is running out while people are just sited in the House. At the end of the financial year; whether we like it or not, that will be a pending bill, and people are there enjoying, going for retreats and whatever. So I wanted to say this to my brother Hon. Mulongo. I can see he is out and you know he is a chairperson of a very important committee in this Honourable House. He also raised some issues and he is out, he could have also listened to the issues that I was going to raise.

He is the one to put the Executive on toes and that is why the opposition is given that Committee. I am left wondering, you know the Leader of Minority fought so hard with even the Whip so that what belongs to them is given to them and we gave them. You know we should not stand here and cheat ourselves; let us play our roles as Honourable Members as Hon. Balala has rightly put it. By so doing, they could have been doing follow ups and it also applies to sectorial committees. You know I am a chairperson of a committee that doesn't implement projects, but I belong to some committees as a member. We have advised our committees that all the departments give us the implementation status of all the projects under their departments. By so doing, we will push the Executive to implement our projects and pay for them within the required time.

This issue of spending money at source; I remember my brother who is not in this Honourable House, when this House passed a policy allowing the Department of Health to spend at source because we had some challenges which they had raised. As a House, we listened to them and we agreed, but we said after passing that regulation, we realized there were some loop holes. How I wish the chairperson of the committee and members revisit that issue so that we can have some amendments. Otherwise we will speak and nothing will be forthcoming because they will continue spending at source and our hands are tight because we are the ones who passed that law.

Otherwise I was also amused by the Members of the Committee on Health. Many a times we invite the Executive and they have ample time to interrogate them. The issues they have raised in this Honourable House, I believe were also raised when they were interrogating the Executive. We have a very able chairperson, Hon. Makari and we will support you because without health, some of us cannot stand here and debate.

Otherwise as I wind up, let us do our work by putting the Executive on toes. Some of us have served in this Honourable House for many years, but when I look here, I see young faces. If we don't implement the projects on the ground, things will be different.

I also wish to ride on what Hon. Balala said here; maybe you will grant me this opportunity because it is outside the agenda. The issue of Members of Parliament moving with cheques and whatever... I wanted to speak on this when Hon. Grace is around because they represent us somewhere and I see Hon. Tony is keenly listening. Very soon, Hon. Tony if you don't wake up, we are coming for you because you are a big let-down country wide; particularly your chairperson. We are not fighting for our rights as MCAs and that is why you can see MPs enjoying. They can go to any funeral carrying cheques even promising projects without due process. We are also representing people, we are doing oversight. I rest my case and I support the report.

Mr. Speaker: Thank you. I will have Hon. Makhanu

Hon. Cornelius Makhanu: Thank you Mr. Speaker Sir for giving me this opportunity to also contribute to this report. First of all I would like to thank the mover of the report...

Mr. Speaker: Honourable Members you are loud!

Hon. Cornelius Makhanu: I have been listening and as Hon. Mukhongo has said, I listened to the seconder of the report who is the chairperson and Hon. Mukoyandali. They all seemed to be pointing out some pertinent issues that were not captured or maybe they did not get questions. I wonder if I will support this report or not. How do...

Mr. Speaker: Hon. Makhanu, there are two ways here, either you are supporting or opposing it! Contribute please.

Hon. Cornelius Makhanu: Thank you Mr. Speaker. The issue of variations has come up even today in this report about the 300 bed capacity hospital. We have been having this problem because when you look at the original contract and the one at the completion of the project, you will realize that we are always paying more than initially thought. I felt the report should have captured even the minutes supporting those variations which I have not seen; and in those variations, we have not been told how many variations were done. In most cases, these variations are even paid first. In a single project that has a pending payment certificate, a variation comes in between and is paid leaving the initial payment pending as it continues attracting penalties. When it comes to these variations, it is left at the discretion of the contractor and maybe the people in the office who are supervisors; who come up with the pricing or cost of variations. That now is a window of people for making money.

We are complaining here about pending bills but if you dig deeper you will find that variations are eating a lot of money. We are attracting penalties yet variations are paid. Who comes up with these drawings and maybe leaves out some important areas so that in the middle of the project they come up with these variations. We have never as a House interrogated this, why are we having many variations when we have a project that takes long to finish. Almost all projects in this County takes long to finish; especially the flagship projects. We had a report here for Sports

which had projects that have been attracting those variations, yet there are no minutes to support. Who really comes up with these variations? Who authorizes the variations? You ask for those minutes you will never get. I would have hoped that this report could have captured even the minutes so that we know who authorized the variations. How do we give money to equip a facility that is not yet complete and we even took the president there to open? It pains that we have not been told the status of the facility, we don't know at what percentage it is at... is it finished or not. We shall continue attracting pending bills because of these variations and for me, that report is not complete. I will finish by saying that I am not supporting that report.

Hon. Caleb Wanjala: Thank you Mr. Speaker for giving me an opportunity to add my concerns on this report. As much as I support the report and having listened to the concerns and points raised by my colleagues, I want to believe that something is not right and as a House, we don't want to be charged on something we have not authorized or supported fully.

The issue of pending bills has been a song just like my colleagues are saying. I did allocate KShs4Million on Misanga dispensary for the extension of maternity wing, but when the procurement process was done and I made a follow up on it, they told me that the process was not good and therefore they had to retender. As I speak, they have not finished the tendering process, they have not sent the contractor on the ground and just like one of my colleagues said, we have three months left and so I wonder. Which miracles will that contractor use to make sure that he has done the work at Misanga dispensary in three months?

We have to do something on the Executive because this is letting this County down; in fact we are not proud even when we mingle with other Counties because when it comes to development, Bungoma is at the tail end when others are performing well. I think this is something we need to take seriously as an Assembly and as an oversight function. Let us not just play the same game; there is a problem that needs to be addressed now and if not now, then things will not work well for us. Already some of us who are first timers are being judged on the ground because the electorate want to see things popping up. You tell them that I allocated money on this and that and they wait and wait and they don't see it; then you appear to be a liar before them and yet it is not your problem. I support this report but we want to see more and more happening. I wish Hon. Mulongo was here.

The issue of employing people who are non-Bungoma residents I think goes with professionalism. There are people who are not from Bungoma but are professionals. When you look at for example neurosurgeons, they are few in this country and we have to source some from other places or other counties. At the same time, Bungoma now is a cosmopolitan town, if you go to Kimilili, there are a lot of Kikuyus who were raised there because that is their home. Can we deny them employment because their names are reading Kimani, no! I think that should not be encouraged... but as much as I support the report, there is a problem we must accept and devise ways we can use to deal with it. Let me not believe that the Executive is hiding behind

pending bills, or it is a deliberate move created so that when projects are not finished, it becomes an avenue for them to syphon money or to loot this County. Thank you, I support.

Hon. Joseph Nyongesa: Thank you Speaker. First let me also appreciate the mover and the seconder of this report and in fact all members who have contributed over this report. I am only rising on one issue which I think members have not seen so that they can also see it. I want to thank the committee for outlining some issues.

This issue of pending bills; where I sit I tend to think there is some play over it and as a House, unless the Department verifies, we should not approve any budget towards the pending bills. I listened keenly when Hon. Sudi said that when the Department appeared before the Committee, they never disclosed the pending bills but they opted to disclose them before the Budget Committee. I think the chairperson Health was also listening and you know listening is a skill.

There is an issue here that M'Big was paid Kshs2.4Million for fuel which was not captured and was not in those records; but he was paid. If such issues come out clearly that way, as an oversight entity, it is telling us that we need to dig deeper so that we can also oversight the implementation of what we normally approve in this House. Supporting what Hon. Mukhongo was saying; now that we are having the Vice Chairperson on Implementation. It is you now to ensure that what was paid for was done procedurally and if not so, as a House we also move and see that our people are seeing value for this money. Otherwise let us be keen.

As I sit, every government has got its own protectors and defenders but we should protect and also give direction. I support.

Hon. Tony Barasa: Thank you Hon. Speaker, I stand to support the motion going by the terms of reference that your office gave us.

Two, I also want to agree with the senior Hon. Mukhongo and Leader of Majority and all speakers including Hon. Ali Machani. Going forward, I had a whisper with Hon. Barasa Mukhongo some two days ago concerning approval of these pending bills in future. The wisdom from Hon. Barasa was each sector committee to task ourselves to go to the ground on a fact finding mission so that we can ascertain these projects; are they lying under pending bills or we are being played. In your wisdom, if you direct us, the sector committees can go to the ground and ascertain; because it is like we want to hide in pending bills so that we are not able to achieve some on-going or new projects.

This animal called pending bills... I want to stand strongly with the sentiments of Leader of Majority and other leaders. That as an Assembly, an oversight body, let us go and dig deeper and ascertain these projects for pending bills.

The issue of variations the way Hon. Ipara has said we must also be keen as a House and it happens that I sit in the Health Committee. What we were told about the variation of that

particular building was that it was done and there was to be put a ramp for those who are disabled. Going forward the BQs should ascertain that from the word go; because we live in a society where we have the people who are disabled and so you cannot start a project and thereafter you think about bringing a variation in millions of money. I support.

Hon. Milliah Masungu: Thank you Hon. Speaker, I also rise to support the report with the following issues. The tradition in this County Government of un-surrendered imprests is there and the chairpersons in the House can attest to this. Several times we have interrogated budgets of our sector committees and whenever you could go in every department, the disease of un-surrendered imprests is there.

Variations; I have kept wondering on why the Executive can do variations minus the approval of this Honourable House. This is something that we have to stamp our authority and stop as Honourable Members. The Executive have always done variations in different projects and they have gone ahead and implemented minus the approval of this Honourable House. I wonder who gives them authority and power to approve those variations.

I want to differ a bit with Hon. Tony. We are here all elected members from our Wards and everybody has data of the stalled projects. Can we list them? The CEF officer is just within the precincts here. You go there, let him approve that these are the stalled projects from your Ward, you confirm then we list them. You will automatically know that this is a stalled project that has not been paid from my Ward. There is no need of going for fact finding; it is self-explanatory. We are from the Wards and we have projects that are stalled. Some have not been paid and are not complete; some have been completed and they are unpaid.

We have to be serious with the Executive. Whenever we interrogate budgets, there are a few departments that come up with their pending bills, but when we finally go to discuss as Budget Committee to finalize, you will never see any pending bill being rolled over. When you ask a few departments or all of them, they will always say we provided the pending bills, but eventually how they disappeared they don't know. When you ask the CECM Finance, he has always said that the departments have never rolled over pending bills. Who is playing who? So Honourable Members, unless we dig deep into these programmes of the Executive, we might end up being the losers.

Hon. Wafula Maurine (Mover to reply): Thank you Hon. Speaker. I wish to thank every Member who has contributed to this motion and I have noted every detail with a lot of concern. As a Committee, we are going to follow up on the Executive; I therefore ask the House to adopt the report.

(Applause)

Mr. Speaker: Honourable Members, I think you have had enough, allow me proceed.

(Question put and agreed to)

ADJOURNMENT

Mr. Speaker: Honourable Members, looking at the Order Paper that was the only motion we had for today. We will adjourn for now and resume on Wednesday 28th February, 2024 at 9:30 a.m.

The House rose at 4:15 p.m.