

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

THURSDAY, 25TH JULY, 2024

Afternoon Sitting

COUNTY ASSEMBLY OF BUNGOMA
THE HANSARD - OFFICIAL REPORT
THURSDAY, 25TH JULY, 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. VISITING DELEGATION FROM CHESIRO S.A. MIXED SECONDARY SCHOOL

Mr. Speaker: Honourable Members, I would like to recognize the visitors in our public gallery; the visiting school, Chesiro SA Mixed Secondary School from Cheptais Sub County in Cheptais Ward.

The delegation comprises of 49 students, students please be upstanding

(All Students rose)

Kindly be seated.

They are accompanied by two teachers namely:

Mrs. Linda Chepkemoi; and

Mr. Kirui Kwemoi.

Be upstanding

(Teachers rose)

Kindly resume your seats.

Additionally I am aware we also have some members of the public who have come to follow up on sittings of this House; you are welcome and feel free.

At an appropriate time Honourable Members, we will allow few remarks on our Order Paper for members to make remarks about our visitors in our Public Gallery; specifically to the students from Chesiro S.A. Secondary School Mount Elgon, Cheptais Ward.

Honourable Members take up your seats

(Members proceed from the bar to their respective seats)

We can now proceed!

PAPERS

1. REPORT ON THE DISCIPLINE MANUAL FOR COUNTY PUBLIC SERVICE, STAFF PERFORMANCE APPRAISAL SYSTEM, DIVERSITY POLICY FOR THE COUNTY

Paper laid by Hon. Anthony Lusenaka

Mr. Speaker: Honourable Members, the report by the sector Committee on Labour Relations, Member Service and Facilities on the discipline manual for County Public Service Staff Performance Appraisal System, Diversity Policy for the County Public Service, Human Resource Policies and Procedures Manual and Human Resource Development Policy are hereby tabled by the Committee. They formally become the property of the House.

2. REPORT OF THE ANNUAL OPERATING BUDGETS FOR COMMITTEES IN THE FINANCIAL YEAR 2024/2025 AND EXTERNAL RETREAT SCHEDULE FOR FIRST QUARTER OF THE FINANCIAL YEAR 2024/2025

Paper laid by Hon. Christine Mukhongo

Mr. Speaker: Honourable Members, the report by Liaison Committee on the apportionment of annual operating budgets for committees in the financial year 2024/2025 and external retreat schedule for First Quarter for financial year 2024/2025 is hereby tabled by the Committee of Liaison. The same becomes the property of the House.

NOTICES OF MOTION

1. REPORT ON THE DISCIPLINE MANUAL FOR COUNTY PUBLIC SERVICE STAFF PERFORMANCE APPRAISAL SYSTEM, DIVERSITY POLICY FOR THE COUNTY PUBLIC SERVICE, HUMAN RESOURCE POLICIES AND PROCEDURES MANUAL AND HUMAN RESOURCE DEVELOPMENT POLICY

Mr. Speaker: Hon. Lusenaka, proceed and issue a notice accordingly.

Hon. Anthony Lusenaka: Thank you Hon. Speaker. I rise to give a notice of motion that this House adopts the report by the sectoral Committee on Labour Relations, Member Service and Facilities on the Discipline Manual for County Public Service, Staff Performance Appraisal System, and Diversity Policy for the County Public Service, Human Resource Policies and Procedures Manual and Human Resource Development Policy.

Mr. Speaker: Honourable Members, the Committee on Labour Relations, Member Service and Facilities having issued a notice of motion, I urge the Clerks- at- the- Table here to share the said

report with the Honourable MCAs. The same will come up as a motion in our Order Paper once it is scheduled by the HBC.

2. REPORT ON APPORTIONMENT OF ANNUAL OPERATING BUDGETS FOR COMMITTEES IN THE FINANCIAL YEAR 2024/2025 AND EXTERNAL RETREATS SCHEDULE FOR FIRST QUARTER FOR FINANCIAL YEAR 2024/2025

Mr. Speaker: Hon. Christine, proceed!

Hon. Christine Mukhongo: Thank you Hon. Speaker. I rise to issue a notice of motion that this House adopts the report by Liaison Committee on apportionment of annual operating budgets for committees in the financial year 2024/2025 and the external retreats schedule for first quarter of the Financial Year 2024/2025

Mr. Speaker: Honourable Members, as a notice of motion has been duly issued by the Liaison Committee on the apportionment of annual operating budgets for committees in the financial year 2024/2025 and external retreat schedule for first quarter for Financial Year 2024/2025.

I urge the Clerks- at- the- Table to share the said reports with the MCAs. The same will come up as a motion in our Order Paper once scheduled by the HBC accordingly.

I think having given directions; we should leave it at that point. Let us proceed!

QUESTIONS AND STATEMENTS

1. HONOURABLE MEMBERS' REMARKS ON THE VISITING DELEGATION

Honourable Members, before I allow other items lined under statements, let me allow some brief remarks and ventilations about our visitors in the Public Gallery. As I had said at the commencement of this sitting; we have visitors from a school in Mt. Elgon from Hon. Cheseto's Ward; he will go first.

Hon. Martin Cheseto: Thank you Hon. Speaker for giving me this chance. First and foremost, I am delighted to receive and host students from Chesiro S.A. \Secondary School from my Ward. This is a school was started in 2016 and I think they have had KCSE exams thrice; this year should be the third or fourth time.

This is a school which is near the edge of the forest and during the famous Sabaot Land Defense Forces; most of the students and parents suffered the most. By then most of them were actually young, they were infants; and some had not been born. That school is changing lives in that place. The school is sponsored by the Salvation Army where I fellowship with my colleague neighbor Hon. Psero.

Most of the students come from my Ward and others come from Hon. Psero's Ward. Most parents are low income earners and most of them derive their livelihood from the forest products; like charcoal and honey and of course they graze their animals in the forest. It is a school which is coming up from adversity to success. I wish to appreciate the team, the school management and the students for taking up the initiative to come to this August House. This is a House of respect and is a House where the voters of Cheptais brought me to discuss the issues that affect the Ward; to represent them, to make laws and to oversight; and to ensure that development reaches you and of course whatever the County has to offer, it has also to offer residents of Cheptais.

I am very much delighted again to note that the school management has robust approach as they promote co-curriculum activities like soccer and other games. I wish to commend the school, especially a teacher called Mr. Kirui who has accompanied the students. The school has very good co-curricular activities like the cultural dances. If you have watched these students dance to *Kadodi*, you can think that *Kadodi* was made in Cheptais or in Chesiro Secondary School. It is approximately 2Kms from the boarder and it serves even the students from Uganda; and so it is a school that is moulding students not only academically, but is equipping them with the talents so that when they come out of school, they can make a living or they are given life skills that can help them survive outside the school.

There is a tendency with schools that are along the border; some vices like teenage pregnancies are rampant and I am very sure the school is imparting knowledge and giving our students confidence in handling their wellbeing. I believe that the students are going to avoid in engaging in activities that are detrimental to their life, like early marriages which can result to teenage pregnancies. We don't want teenage mothers and fathers. We want the students to learn, we want them to come to this Assembly and work here and if possible. When I decide to exit politics, I want these students to take over. These are categories of Gen- Zs. If they finish school and decide to vie against me and the people of Cheptais decide to vote for them, they are highly welcome.

With those so many remarks, I wish to welcome you once again and wish you safe journey back to your school. We shall meet outside there before you leave.

Mr. Speaker: Thank you, Hon. Martin. I will have Hon. Jacob Psero. I request that I stop there in terms of those remarks from Hon. Tony Khaoya for one simple reason; we have two responses and a motion thereafter.

Hon. Jacob Psero: Thank you very much Mr. Speaker Sir for this opportunity. I join my colleague Hon. Cheseto of Cheptais Ward in welcoming the students of Chesiro Secondary School, a school that I know very well. Feel welcome...this is an Honourable House of procedure and rules the way you have seen and I am happy that you have come today to see what happens in this House.

First of all, I wish to thank the teachers of that school including the Principal of the school for enabling these learners to come to this particular House to ensure that they are able to see and learn what is happening here. Field work gives students opportunity to confirm what you have learnt in class, particularly with the National Assembly and the County Assembly. You have been taken through briefs by the members of the staff of this Assembly.

I also want to thank your parents for electing Hon. Cheseto to this particular portfolio; he is a young man doing a wonderful job. When you go back home, tell your parents that they voted for the right person. He is serving us very well in this House and at the same time, he is doing a good job in the Ward. I am a neighbor and I am able to witness what is going on including the roads, hospitals and many other activities that take place in that Ward. Come 2027, tell them to give Hon. Cheseto another opportunity to serve the area because he is going to benefit them very well. Those who are in Form four, once you are through with secondary education, take an ID card and elect Cheseto to this particular portfolio.

Otherwise, I wish to say that in this House, we have the majority and the minority group who are actually seated on the other side. All of us do the same role of oversight by checking the County Executive to confirm that they are doing the right thing. At the same time, the services you get in our Wards including the decision to award bursaries is done here and is given to each Ward. I want to believe Chesiro Secondary School is a beneficiary of the bursaries that Hon. Cheseto gave out.

We have a lot going on here; you can see the mace, this instrument before us is a sign of power and authority without which, we cannot have an opportunity to have this meeting. You have seen the Speaker coordinate this House amongst others.

On discipline, young boys and girls, I want to advise you that good discipline is paramount! For you to do well in class and even overly as an individual, it is always good to have discipline. Without it even if you are good in class and the Principal gives you a recommendation that you are rude; then don't expect much. We wish that you perform well; most of us can go to the university because not all of us can go there. While others can join colleges we have in Kenya, those gifted in terms of politics might find themselves either in this House or the National Assembly.

I wish you well and as MCA from that Sub-County of Cheptais. We are proud to be associated with you and you need to ensure that you perform well. We are only associated with good performance; those who are not good I wish to assure you that we don't appreciate what they do. I am a former Principal and I confirm that we did our best while we were there, including your former Principal Mr. Musani whom I assisted to get the position of headship in Chesiro Mixed Secondary School. I want to thank him because he did a good job there before being transferred to a new school. I wish the new head success and I hope we coordinate well.

Hon. Johnston Ipara: Thank you Hon. Speaker. Let me also join my colleagues in applauding our school from Cheptais. We understand the conditions; particularly for the pupils from Cheptais and what their parents underwent, which indirectly touches them. What I want to tell them is this, education as of today is an investment for us the parents; and so they must take education seriously because at the end, the expectation is very high. I just wish to thank them for coming and as you go back, take our greetings to your parents and neighbors.

Hon. Tony Khaoya: Thank you Hon. Speaker. First, I want to thank God that he gave us neighbors that you can go to and look for a friend. I am a neighbor to Cheptais Ward where Chesiro Secondary School is located. Chesiro Secondary School is a name associated with twins; and in bukusu we can say *Mulongo* and *Mukhwana*. It is a unique name associated to a twin. I wish to confirm from where I sit that whatever happened in the recent past years in Chesiro was a wake-up call to all of us and we understand that peace is paramount.

I wish to say that seated there are leaders of tomorrow and we want to urge them that devolved Governments brought us to articulate issues touching on every Kenyan. I wish them well and also to teachers as mentor our students.

Mr. Speaker: Hon. Caleb, you have two minutes!

Hon. Caleb Wanjala: Thank you Mr. Speaker. I also take this opportunity to appreciate the parents and the teachers of Chesiro High School for electing Hon. Martin who is also a good friend of mine.

I want to encourage the students that knowledge is the possession of facts; knowledge helps us understand things that we do not know. One writer wrote a book which I quote from, that 'what you don't know can hurt you but what you know you will have the capability and ability on how to deal with it'.

We go to school to cultivate the schools and talents that God has cultivated in us and the fact that this school begun on a holistic background being the Salvation Army church, I know the school has a good chance to succeed and so I wish you all the best.

Mr. Speaker: Thank you Hon. Caleb. Honourable Members, allow me on behalf of others who have not had a chance to speak wish the students from Chesiro Mixed Secondary School the best in their end term exam as they are wind up this second term.

2. BUSINESS FOR TUESDAY 30TH JULY, 2024

Mr. Speaker: Honourable Members, there was a statement that was sought under Standing Order No. 36 on the issue of bursary and scholarships. The procedure will be that we allow them to come in first then it will be read a fresh; then they will be allowed to respond the way it has been framed by Hon. Lusenaka.

Before we do that and as they are coming in, we will have a Member of the HBC sharing next week's Order Paper. I am told the Leader of Minority has the honour to share the Business of next week.

Hon. Anthony Lusenaka (Leader of Minority): Thank you Hon. Speaker. This is the tentative programme for next week.

Tuesday 30th July, 2023 at 2:30 p.m.:

Papers

1. Report by the Powers and Privileges committee on complaints laid by Hon. Jerusa Aleu against Hon. Sheila Sifuma
2. Report by the sectoral committee on Education and Vocational Training on the need for establishment of Child Care centers in Bungoma County.

Notices of Motion

1. That this House adopts a report by the sectoral committee on Labour Relations, Members Services and Facilities on half year financial statements for 2023/24 for the period ended 31st December, 2023
2. That this House adopts the report by sectoral Committee on Health Services on the half year financial statements for the period ended 31st December, 2023 in respect of the Department of Health and Sanitation.

Statement

1. It is notified that pursuant to Standing Order No. 47(2)(c); the Chairperson sectoral Committee Roads, Transport, Infrastructure and Public Works will respond to a statement on Tuesday 31st July, 2024

Motions

1. Report by sectoral Committee on Labour Relations, Members' Services on Discipline Manual from the County Public Service, Staff Performance Appraisal System, and Diversity Policy for the County Public service, Human Resource Policies and Procedure Manual and Human Resource Development Policy.
2. Procedural Motion- altercation of the House calendar

Mr. Speaker: Once you share, you bring it forward; it is not your record anymore!

(Hon. Anthony Lusenaka laid the paper on the Table)

Honourable Members that is our tentative weekly programme for next week Tuesday 31st, 2024 at 2:30 p.m. We now let in the two CECMs for Finance and the one for Education and their respective Chief Officers

(CECMs and Chief Officers ushered into the Chambers)

Mr. Speaker: Honourable Members, before us is the CECM for Finance, Mr. Chrispinus Barasa and CECM for Education and Vocational Training, Mr. Benedict Emachar. We also have Chief Officer for Finance and Economic Planning, Robert Simiyu and our newly sworn in Chief Officer for Education, Mr. Nalwa. We will have the Clerks- at- the- Table read the first part of the question then allow the owner of the statement to proceed to the end; then allow the concerned officer to respond

Hon. Jack Wambulwa: Thank you Honourable Speaker. I wish to request if the CECMs can sit next to their Chief Officers so that they can consult during this time.

(Laughter)

Mr. Speaker: They may have done enough consultations!

Hon. Tony Barasa: You know Hon. Jack had requested and before you gave direction, they had already changed their positions. Is it in order?

(Laughter)

Mr. Speaker: Under which Standing Order?

Members, since we have our CECMs and Chief Officers are before us, allow us proceed with the Business before us.

3. QUESTION NO. 12 OF 2024; APPEARANCE OF THE CECM, FINANCE AND ECONOMIC PLANNING AND CECM FOR EDUCATION AND VOCATIONAL TRAINING TO RESPOND TO MATTERS OF URGENT COUNTY IMPORTANCE

Hon. Anthony Lusenaka: Thank you, Mr. Speaker. I will start from where the Clerk left in relation to critical matters pertaining the administration and allocation of funds for scholarships, bursaries and vocational training centers within our county. The CECM for Finance and Economic Planning and CECM for Education and Vocational Training to respond to the following:

Scholarship

1. How many students are on scholarship this year 2024; stating how many are in each class, we want a figure for Form One, Two, Three and Four.

2. How much has been allocated and paid for each class and each student from Form One to Four.

3. How much has been paid as at 30th June, 2024 because there was a budget of Kshs140M; out of that we wish to know how much has been paid as at 30th June, 2024

Bursary

1. In the financial year 2023/24, we allocated KShs4 Million per Ward and that translates to Kshs180 Million for the 45 Wards. What is the status of remaining KShs1Million since only KShs3Million has been released to the Wards. There is total of Kshs45 million yet to be released, is it there or not?

2. There is three per cent of the bursary kitty is deducted as administrative fees. How much are you planning to pay every ward member of the Bursary Committee and when because when we were giving out those cheques, you were retaining the three per cent of administrative cost.

VTCs

1. The County received KShs19Million as a grant for VTCs; there has been a disbursement of Kshs13, 410,000 to some VTCs in the County; give a breakdown of the beneficiaries of the KShs13, 410,000 distributed and the criteria used.

2. What criterion was used to allocate KShs1, 175,000 for special activities in selected Vocational Centers? We wish to be furnished with a list of VTCs and the nature of select activities as indicated in your documents.

3. Administrative fees for grants has always been calculated at three per cent of the total amount. What percentage did you use to arrive at KShs3, 375,000 instead of Kshs570, 000 as administrative fees on the KShs19Million that was given as a grant? Provide a list of beneficiaries of KShs3, 875,000 that was deducted as administrative fees, we want to know how this money was utilized

4. From the above calculations, Kshs13, 410,000; when you add KShs1, 175,000 and Kshs3, 875,000 and then you deduct from KShs19million, there is still a balance of Kshs540, 000. How is the Department planning to account for this money?

Those are the questions Speaker.

Mr. Speaker: Thank you, Hon. Lusenaka our Leader of Minority. We will start with the CECMs; who is going first, Hon. Emachar, you will respond from the dispatch.

CECM, Education: Thank you Hon. Speaker. First of all, I may state that I am just about four weeks in the Department of Education and Vocational Training. My Chief Officer is only about a week or so. Nonetheless, I am under obligation to respond to your summons Sir and I will respond question by question.

Hon. Ali Machani: *(On a Point of Order)*: Is it on order for the CEC Member to start by sending serious threats; because there is no vacuum in any government. As much as it is four weeks or three weeks, let him build confidence in us on getting clarity from the Department.

Mr. Speaker: Honourable Members, I heard him say he is under obligation to respond. It simply means there was handing over and taking over and he is competent enough to answer the questions raised. Allow him proceed, please.

CECM, Education: Thank you Sir. The first question was how many students are on scholarship programme this year 2024. Outline those in Form One, Two, Three and Four stating how many are in each class.

Response: The total number of students is 5,577 in the scholarship programme.

- Form One: 650
- Form Two: 845
- Form Three: 1890
- Form Four: 2192

In the schedule that I gave under schedule II, we interposed the figures and so the figures I am presenting now are the right figures

Mr. Speaker: Are you trying to confirm that what was given to us early in the morning is erroneous?

CECM, Education: Yes Sir.

Mr. Speaker: You could have commenced by stating that because the figures you have read and the ones I am having here are contrary. Give us fresh figures so that we are able to record since Honourable Members are in possession of those figures on their gadgets, give us from Form One

CECM, Education: Thank you Mr. Speaker.

- Form One: 650
- Form Two: 845
- Form Three: 1890
- Form Four: 2192

The list of all the students is found in appendix referenced (1). It is...

Mr. Speaker: Yes, Hon. Deputy Speaker

Hon. Stephen Wamalwa (*On a point of order*): Thank you Hon. Speaker. May the CECM then make this House aware that everything else that he is going to present before this House is correct because what we are having as you have ably put is quite different from what he is presenting. Are we sure that going forward any other information that he is going to give is actually what we should be receiving?

Mr. Speaker: Just hold on; let us be very systematic, Hon. Leader of Majority

Hon. Joseph Nyongesa: Thank you Mr. Speaker. What I am seeing and what the CECM is reading are different. On my gadget, Form One is 570, Form Two is 560, and Form Three is 1720 so I don't know which figures we need to follow.

Mr. Speaker: Having said that, the one he had given earlier, the one that you and I are having is erroneous. That is the correct position.

Hon. Joseph Nyongesa: Speaker, we won't just say it was erroneous, who gave out this one?

Mr. Speaker: Members, in the meantime CECM, you can take your seat. Our rules provide that you cannot all stand at the same time...hold on please; you will all be given chances to air out your issues...wait first, you need to have somewhere to write because you have to respond before we allow you to proceed

Hon. George Makari: Thank you Mr. Speaker. Is it in order for the CECM to correct the information while he is giving the statement officially in the House? This Department had a lot of time to prepare a correct statement. Now that what members are having on their gadgets and what is being read is totally different from whatever was presented in the House; and what was received by the Office of the Clerk; now who has received that one officially?

Hon. Tony Barasa: Hon. Speaker, I think it is high time that we put the CECM and Chief Officers on Oath because this is a matter of County Importance and we don't want to play politics here. We want nothing but the truth; and so, if this is the game, then we must put them on oath.

Hon. Milliah Masungu: Mr. Speaker, I was also rising on the authenticity of the document the CECM is presenting before us. Remember just from what my other colleagues have said, this is a House of rules and procedure and you have always denied any document that you might think is foreign in this House. Allowing him to present this document before us might be erroneous.

Hon. Jeremiah Kuloba: Hon. Speaker, maybe the CECM can tell us the origin of the two figures

Mr. Speaker: Members, let us try to find a way out because what we are doing is repetition. We brought this item as a motion of County importance. Let him confirm the source and authenticity of this document and you proceed to interrogate him because this maybe you second last session before we break. Let us find an amicable way and have him give his record here. Hon. Ali Machani what is the issue again?

Hon. Ali Machani: Thank you Mr. Speaker for allowing me. As the earlier speakers have said, there is a procedure of presenting documents in this House. It must be received by the Clerk, taken to the House and that is the procedure. My worry is that from the beginning, he started by sending threats that he has been in the office for the past two or four weeks. All these questions are not even in another department; they are only in Education! How I wish he could be given time to clarify how we got those conflicting documents. If he says so, then we can have a verdict over it as we continue.

Hon. Jack Wambulwa: Thank you Hon. Speaker. I wish to plead with colleagues that we have very little time to dispense with this matter of scholarship and bursaries. How I wish that they would go by your wisdom. He has declared that it was erroneously forwarded to us and the one that he is presenting is the same document he will submit to the House.

Two, I want to support what Hon. Tony said. How I wish that all of them are put under oath so that whatever they are giving us is the right information; and that is why we have the Hansard here to take care of the report.

Mr. Speaker: Chairperson, Education?

Hon. Benjamin Otsiula: Thank you Hon. Speaker. I wish to remind this House that as we are seated here, our proceedings are taken. You are seated and you are accorded the same rank as a High Court and so whatever the CECM is presenting on the Floor of the House with the Hansard report it remains unchallenged. You delivered a ruling on this subject matter. Let it not appear as if there is a deliberate attempt to cut short this process Hon. Speaker

(Applause)

Give the CECM ample time to respond to questions from the members

Mr. Speaker: Members, I am pleading with you that lets find a way of proceeding. The only thing I want to ask is basically since he has shown some sign of having clear records, let him be put on oath and he be told the consequences that are implied under oath. What is happening here is that we were send a record which I received and I am very sure the one he is reading or referring to is not received by the Assembly. Subsequently, after using it here, he will leave it for us; he won't take it away. So if there are some variations, he will clarify because the implication means after varying the number of pupils on scholarship and bursaries, automatically the amount of money is going to be varied as well. Allow us step him down, he takes an oath then he shall

proceed with his submission after clarifying. If we adopt that, it will be easy for us to move on. Let us take that step! Deputy Clerk swear him in so that we start afresh.

(Loud consultations)

Yes the leader of Minority, what is the issue again?

Hon. Anthony Lusenaka: Hon. Speaker, I request if he can share that report on our gadgets so that we can move together, it won't take time.

Mr. Speaker: How big is the document? If we can be able to be send on WhatsApp platform then we proceed.

Hon. Stephen Wamalwa: Hon. Speaker...

(Loud consultations)

Mr. Speaker: Order members! Order!

Hon. Stephen Wamalwa: Hon. Speaker, this County is eagerly waiting for us to transact this Business and we must conclude. The only thing that I will urge us to do is that if the CECM has a document which was not sent in the procedure envisioned, we shall proceed but we must get to the bottom of the origin of that document. These are officers who are taking this County down. Who is this officer who could dare to send to the Assembly a document that is not correct!

This Assembly will not be taken for a ride; people outside there are saying that we are not doing our oversight duty and we cannot go down because someone somewhere thinks that MCAs of this County are fools! We are not fools! We are equal to the task!

Hon. Meshack Museveni: Mheshimiwa Spika nataka niombe *CECM* (waziri) ya kwamba siku ya leo tulikuwa tunatarajia hili neno ya *bursary* na *scholarship* (udhamini) watueleze ukweli. Hapo nyuma katika hizi *committees* (kamati) zetu, hata unapowauliza maswali, wao hufanya tu ni kana kwamba hawajali! Ndio maana leo ukiangalia yale yenye wamenitumia ni tofauti na yale ambayo waziri wa Elimu anatusomea. Ninaomba kwa heshima kuu ya kwamba wacha wawe wazuri watueleze ukweli na kama mtu hawezi kazi hatuwezi kuvumilia hadi mwisho

Mr. Speaker: Members, this is my proposal to the House. I see there are several members still seeking to speak. The document that has issues I have been told is page one which they are saying we can have it shared... we can step him down, he takes an oath and then we proceed!

(Loud consultations)

Members, let us find a way of proceeding because Honourable Member you have spoken many times! Let us have some order please!

Hon. Ali Machani (On a point of order): I think it is good that you are giving us time to ventilate, but is it in order for the CECM to take oath? We have never done that! If that is the case, you can give them five minutes so that they go out we ventilate on this issue... even if we sit up late; but administering oath I think Speaker...

(Applause)

Mr. Speaker: Honourable Members, luckily Hon. Ali Machani you have accompanied me to the Senate when I had gone to defend the County Assembly on several issues and you remember I took oath before I was given a chance to speak!

Hon. Ali Machani: But in this case...

Mr. Speaker: Let me just finish! If they are giving us evidence which is on the Hansard, we only wish to confirm if this information is right or wrong. If they are going to lie to us, then they will be punished; but there is nothing wrong. Anytime you go to the Senate to give evidence even as the chairperson of PAIC, you take oath. Let us take a position and proceed. There is no illegality in taking an oath! If there is, show us where it is!

Honourable Members, the way to proceed is that first he will take oath. Two, the CECM concerned must first own the document before we proceed. I beseech you to have time for this, apart from Hon. Job. I see several speakers who want to speak and I urge you to have time and interrogate this document when we proceed please! At this rate I have been seeing even Hon. Chikati wants to speak even without my permission. Please, let us proceed and have the CECM take oath then we proceed

(Loud consultations)

Order Honourable Members!

(CECM, Education and Vocational Training Mr. Benedict Emachar takes oath)

Mr. Speaker: So Members let him first own the document of the new figures then we proceed. I have been sent the document and I am trying to share with us on the WhatsApp platform; but the changes we can have them read out. Proceed, CECM.

CECM, Education: Thank you Hon. Speaker. I own all the figures as presented to the Honourable Members. These figures originated from the Department of Education and Vocational Training. The figures are extrapolated are as reference number two of the documents which is exactly the figures as per column one of the documents already presented to the Assembly. Moving them from reference number two to the summary in page one. I own all the figures and all of them are from the Department of Education.

How much has been allocated and paid in each class?

Response: The total amount allocated was KShs55, 170,000 made up as follows;

- Form One: Kshs12,000,000
- Form Two: Kshs5,600,000
- Form Three: Kshs17,200,000
- Form Four: Kshs20,370,000

For the summary you can refer to reference document number two.

We requested for the payment of the entire scholarship and bursary amount totaling to KShs321, 700,000 and the total amount Finance credited to the institutions of the scholarship beneficiaries was KShs51, 480,000.

Since the payments were being effected through IFMIS system; a total of KShs3, 690,000 in respect of 104 schools were not effected through the IFMIS for reasons that the institutions had not defined the information in the IFMIS system. More details are on our document reference number four.

Some of the institutions were even using the cash flow invoice system thus they advised us that we should send scholarship funds directly to schools. Realizing this anomaly, we requested the Finance Department to move the funds from our Special Purpose Account at the Central bank so that they move them to the bursary account at KCB here in Bungoma to enable us raise the cheques directly to the affected institution under the scholarship programme. Our request is as per reference number five; which is our letter to my colleague in the Department of Finance by my Chief Officer.

In a rejoinder, Finance declined the request citing that the County Assembly resolution as well as that of the Senate had said that the processing of those payments should be through IFMIS; reference number six is the letter from Finance.

Question 3; how much has been paid as at 30th June, 2024

Response: It is already stated above under reference two that the total amount paid is KShs61, 480,000

Question4: Out of the KShs4Million per Ward, KShs1Million has not been paid, whereas the total of the unpaid allocation of KShs45Million

Response: Finance has not credited an account for the Kshs.45Million despite our request to them. Besides the KShs45Million of the bursary; there is also a nonpaid amount of KShs80Million in respect to scholarship programme. This brings to a total of KShs125Million that the Department of Finance has not credited to the Department of Education. More details are in reference number three.

Question 5: How much of the three per cent administrative fees are we planning to pay each member of the Bursary Committees and when?

Firstly, the first installment of Kshs45 million accrued administrative fee of Kshs1, 350,000; of which Kshs585, 000 which translates Kshs13, 000 per ward was paid to the Ward Bursary Fund Committee. Paying Kshs13, 000 to the Wards translates to Kshs2, 600 for each of the five committee members.

At the moment, we received an allocation of Kshs90 million and out of which, three per cent comes to Kshs2, 700 of which we intent to apply as follows: we will send Kshs1, 800 to Ward Bursary Committees which translates to each member receiving Kshs8, 000. We will have consultative meetings with all bursary and scholarship stakeholders including Hon. MCAs at Kshs415, 480.

In the office we have a lot of activities that we do; photocopying, we purchase tonners; we have to purchase cheques from the banks and clearance fees from the banks; therefore, we intent to use Kshs100, 000 to that effect.

Out of the same amount, we have received summons from the Senate and we are appearing on the 5th of August, 2024 together with the Hon. Governor. The bulk of the accounts they are asking for belong to the Department of Education and they want a lot of information so that we justify why we are holding around 152 accounts in the Department of Education. We have to make a lot of photocopies and we have to travel to Nairobi with the list of all beneficiaries and we intent to spend Kshs384, 520. There is yet an amount to be paid of Kshs1M per ward for bursary that translates to Kshs45 million; of which when we receive, we will be able to allocate more funds to our Ward Committees. As for the payment of the current accrued three percent to the wards; we are going to pay from Monday the 29th of July, 2024. Already our members of staff are preparing those schedules.

6. Give a breakdown of Kshs13, 310 disbursed to VTCs

The breakdown is per the schedule attached below; the criterion that was used to send those amounts to the affected students was per the blocks. For example, those institutions with 1-50 students totaled to 43 and they sent an amount of Kshs140, 000; coming to a total of Kshs6, 020,000. That tier of between 51-100 students we had 29 institutions and we sent...

Mr. Speaker: Just to seek for clarification; second tier under item two is for how many students?

CECM, Education: Second tier is 51-100 students; there is a typo of a zero at the end. It is not 1000. Second tier Mr. Speaker is 51-100 students with 29 institutions and each received Kshs150, 000; bringing the total to Kshs4, 350,000.

The third tier was for those institutions that have students from 100 and above and they were 16 of them and each was sent Kshs190, 000; and the total is Kshs3, 040,000. That gives the breakdown of the Kshs13, 410,000.

There is also reference nine which can be referred to by the Honourable Members showing how much each of the institutions received.

7. Out of the allocation of Kshs1, 715,000 from the VTC funds; provide a list of the beneficiary VTC and the nature of the special activities.

The breakdown is as follows; Kshs612, 500 went to Sinoko VTC; those funds were for NITA examinations and there is a document under reference No. 10 of Kshs500, 000 that went to Kamasielo to fund ECDE National Music Festivals and the justification is under document No. 11. Kshs100, 000 went to Wekelekha for regional drama and the justification is under the document referenced No. 12. There was Kshs50, 000 that was sent to Chwele VTC for ECDE drama festival. By the time I was coming for the presentation here, I had not obtained the document to justify this expenditure. Mteremuko VTC was given Kshs451, 800 as captured under document referenced No. 13 for funding of the income generating activities at Mteremuko VTC.

8. What percentage did you use to arrive at Kshs3, 875,000 instead of Kshs570, 000? Provide a list of the beneficiaries of the Kshs3, 875,000

The administrative fee of Kshs3, 875,000 was not based on a particular percentage; neither was it based on the three percent. However, the amount was appropriated as below; capacity building for CPT and TVET was appropriated at Kshs95, 000 documented as reference No. 14 which explains this expenditure. For NITA examinations and monitoring, they used Kshs2, 100 evidenced by document No. 15. For TVET audit purposes, they appropriated Kshs484, 400 as shown in reference document No. 16. For facilitation of Chief Officer to Korea, they applied Kshs820, 050 and the authorization is document No. 17.

There is an amount not yet spent of Kshs972, 850 in respect of activities for clearing of desks and chairs that were donated from Korea. Kshs502, 600 was used for ECDE co-curriculum activities in Butere. Those are the ECDE regional drama and musical festivals. There is a document reference No 18.

9. From 7 and 8 above, there is a deficiency of Kshs540, 000. How is the Department planning to account?

There is no deficiency at all. The Kshs540, 000 resulted from a typo error; the 1 and 7 were interposed. Then Kshs1, 715,000 was typed as 1,171,000; the difference between the two figures is Kshs540, 000. The former figure is correct which Kshs1, 715,000.

10. Demand to the Executive

- (i) Immediate release of the scholarship balance of Kshs80 million
- (ii) Immediate release of bursary balance of Kshs45 million to the Ward Bursary Kitty.

We requested for the release of Kshs125 million in respect of the two funds but to no avail.

Mr. Speaker: From your document, is there a typo error?

CECM, Education: Yes sir.

Mr. Speaker: You need to confirm because from you document it is only Kshs125, 000.

CECM, Education: It is correct Sir. It is Kshs125 million. Immediately we receive those funds, we will be able to disburse the same to the rightful beneficiaries’.

At this juncture Mr. Speaker, allow me say the following;

Funds are normally released from the National Treasury to the County Government of Bungoma account held at the Central Bank of Kenya. This is a special purpose account that holds both Scholarship and Bursary Funds. The Scholarship Fund was paid through IFMIS from the same account held at the Central Bank. So far in respect of the scholarship payments, an amount of Kshs3, 690, 000 representing those institutions whose accounts were not defined in the IFMIS system has not been paid. It is only the County Treasury that has access to that account.

The bursary funds are normally transferred by the County Treasury from the Special Purpose Account at the Central Bank to our KCB account in Bungoma.

The signatories to that account are three persons;

1. Julius Wafula from the Department of Education,
2. Selina Nyongesa from the department of Education
3. Ambrose Makokha from the Department of Finance

It is from this KCB account in Bungoma that we draw cheques for the payment for bursary fees. As at this morning, our KCB account which is a holding account has a balance of Kshs17, 522, 311.40. Our cheque book balance maintained at the office has a balance of Kshs4, 521,596.

Mr. Speaker, the un-cleared effects from our KCB Bank account represents the following items;

1. There were cheques that some banks declined accepting; the banks in question are Equity Bank, ABSA Bank and Family Bank. The total amount of such cheques is Kshs2, 208,000.
2. There is also of course three per cent administrative fee which we have not knocked from the bank
3. There were some Ward Committees who submitted their lists for bursary late and those cheques are being written in the office now.

These wards are;

1. Bukembe East
2. South Bukusu
3. Malakisi/Kulusiru
4. Musikoma
5. Mitua/Soysambu
6. Elgon
7. Kabula
8. Chwele/Kabuchai.

The balance in our KCB holding account does not in any way hinder any transfers from the Central Bank to that account. As I said earlier, audited transfers are done by our sister Department of Finance. Thank you Sir.

(Applause)

Mr. Speaker: Thank you. You can now take your seat. We will have CECM, Finance who will take an oath from where he is seated.

(The CECM, Finance Mr. Chrispinus Barasa takes oath before giving evidence)

Mr. Speaker: Members, equally Chief Officers are supposed to take oath before they give their evidence.

(The Chief Officer, Finance Mr. Robert Simiyu takes oath)

CECM, Finance: Thank you Mr. Speaker. I wish to refer to the summons that I was supposed to appear on this subject dated 24th July on two critical issues on financial matters.

On the release of Kshs80 million and Kshs45 million; I am aware that the allocation for scholarship was Kshs140 million where Kshs60 million was requested and disbursed to a special purpose account which so far has a balance of Kshs3, 697,425 which was not spend and the

amount allocated for bursary for 2023/2024 was Kshs180 million where Kshs135 million was disbursed in two tranches, that is, Kshs45 million and Kshs90 million...

Mr. Speaker: What is the issue Hon. Hentry?

Hon. Hentry Nyongesa: Hon. Speaker, I request that the CECM, Finance reads through his submission at a low pace so that we can follow.

Mr. Speaker: He is just reading the response that was sent to us.

Hon. Hentry Nyongesa: He is too fast, Mr. Speaker.

Mr. Speaker: CECM, Finance, there is a request that please read at a slow pace as they follow through.

CECM, Finance: I was referring to specific areas that touch on Finance on the issues that were raised on the release of scholarship balance of Kshs80 million and also the bursary balance of Kshs45 million which are critical areas. I was making a statement saying I am aware that the allocation for scholarship was Kshs140 million; where Kshs60 million was requested and disbursed to special purpose account which has a balance of Kshs3,687, 425 that is not spend. The amount allocated for bursary for the year 2023/2024 was Kshs180 million, where Kshs135 million was disbursed in two tranches; that is, Kshs45 million and Kshs90 million.

The Controller of Budget releases funds when the returns show that the previous amount is fully utilized. Kshs45 million was credit to commercial account on 10th June, 2024 and by 28th June, we still had a balance of Kshs2, 446, 696. That is 18 days in progress. Kshs90 million was credited on 5th July when the balance was still at Kshs1, 639,611.40. We received the May Exchequer on 25th June, 2024 which was used to pay the Kshs90 million and from 5th of July. The balance is Kshs19, 292,311.40 and that is 19 days in progress.

I remember I appeared before this House to discuss about payments of this matter and we agreed that to facilitate quick disbursement, let the Department of Education break down the requests into three; that is Kshs45 million, Kshs67, 500,000 and process it on the IB platform and immediately disbursement is done, it should not take more than three days to clear the amount that has not happened as indicated above. The delay was occasioned by slow absorption of the funds on the account, thus affecting subsequent requisitions.

I wish to clarify the following because on times of requisition of funds for scholarships, remember when we agreed that because after Senate, the resolution from Senate indicated that we are supposed to process through IFMIS. When we had a meeting here, we agreed that due to

time and many students are on bursary, that let us have a transition process and I remember having indicated that scholarship funds the level we have reached in terms of payment through IFMIS will justify the transition; to allow cheques to continue on bursary as the Department of Education makes sure that all the schools are on IFMIS.

I say this because already there is a further communication on compliance on this matter that is the reason you find we are supposed again to appear and confirm progress. One of the progress is why we allowed bursaries to go on commercial banks is because of the transition process. The balance appearing on the platform of Kshs3.6 million we indicated to the Department their specific details of KRA from these schools and then they are configured them in Treasury and that process cannot take long. That is the information we are still waiting for and once we receive, we can configure. I remember during the first term, we transacted on IFMIS and paid schools.

By the time we were doing the Kshs45 million, we were paying and expecting the May exchequer which came on 25th of June which was away from the end year procedures where the Controller of Budget was supposed to receive all requisitions before the 24th; Central Bank was supposed to close on 28th. Therefore, the payment that was on the platform at that time was Kshs90 million and that is why we said the Kshs90 million was supposed to be processed on the 25th. The amount we requested from the Controller of Budget was cleared and disbursed on 5th of July when the accounts are now closed just on IB for payment. There was no room in terms of exchequer to process; and even if we were to request we were outside the closure period and secondly the expenditure on the account could not have been cleared because the Kshs90 million clicked in the account on 5th of July.

Mr. Speaker: Members, we need to be systematic and I allow five questions then they respond before we proceed to ask more questions.

Hon. Anthony Lusenaka: First, allow me appreciate the CECM for Education for the response which has opened out on how things are being done in that Department. My first question to the CECM is that out of the Kshs140 million, only Kshs51 million has been released to 5,577 students. On average how much were you paying for these students. From my calculations, it comes to around Kshs9, 230 if we are paying an equal amount.

My second question goes to the CECM, Finance; this Assembly approved a budget in June 2023 and from that time, why wait until the last minute to process these funds. From your explanation, you are indicating that the request came late after the closure of the books and we have been having several meetings and consultations. I remember the last meeting we had in this House, we agreed that cheques to be written at ward level. Unfortunately, we wrote the cheques but the funds were not available yet you had assured us that the funds were on the account. What happened? Did you lie to this House that we had funds on the account yet there were no funds?

On VTCs, I want to ask the CECM, Education; the grant of Kshs19 million was specifically meant for Vocational Training Centers in our wards. I see that this money was allocated to some other activities; example a Chief Officer going to Korea at Kshs820, 000. Does it have any correlation with VTCs?

Mr. Speaker: Hon. Jeremiah, it is a hot seat today. If you don't remain disciplined, I will send you out. Proceed.

Hon. Anthony Lusenaka: Because when you look at those calculations, seriously, they speak volumes because we expected the Kshs19 million to be divided amongst those 88 VTCs that we have across the County. Looking at the expenditure of Kshs3, 875,000 on capacity building; who went for capacity building? On NITA I can excuse, but facilitation of Chief Officer to Korea at Kshs820, 050, inspection and clearance of chairs and desks from Korea at Kshs.972, 850, ECDE co-curriculum activities in Butere! This money is meant for VTCs and not ECDEs; unless I am reading a wrong document...

(Loud consultations)

Mr. Speaker: Let us have order Members.

Hon. Anthony Lusenaka: Hon. Speaker, I think there is misuse of the funds and people put in those offices are just doing as they please with these funds.

(Applause)

It appears like there is no procedure; you allocate funds the way you want; funds for ECDE National Music Festivals at Kshs500, 000 seriously! I beg to stop here.

Hon. Joseph Nyongesa: Thank you Hon. Speaker. First I also wish to appreciate the CECMs who are here and they can also witness what we are going through as an Assembly. It is unfortunate that we have some balances in the account, yet when cheques were being deposited to banks, there was no money. I don't know what happened.

I am aware that any grant is accompanied by some conditions. This grant that was meant for VTCs; what were the conditions, because the instructions were that the funds were to go to the VTCs. The issue of percentages does not arise on the grants. From what perspective did the Department use to split in regard to percentages? The CECM should attach the conditions that were attached. How can expenditures meant for VTCs be utilized on ECDE activities? I think this is out of order.

Secondly on the issue of three per cent; during the disbursement of Kshs1 million per ward, the allocation was Kshs30, 000 which is equivalent to Kshs1, 350,000 as stipulated here. They have only shown us how Kshs585, 000 was used but they have not shown us how Kshs765, 000 was used. *Waziri*, show us how Kshs765, 000 was used...Was it again shared with these few people including yourself or what? So that when you go out, we should be aware of how Kshs765,000 was used.

We have a vote head for travels; how come a vote head that was charged from was not the one on foreign travels?

(Applause)

The person who used this should be surcharged. Not only to be surcharged; but if this House could agree because I am worried of the sympathizers...

(Loud consultations)

Mr. Speaker: Honourable Members, let us have order!

Hon. Joseph Nyongesa: Because for us to have sanity starting from the accountants doing this, Chief Officer and CECM should be shown the door. Otherwise, let us allow other Members to ask question but we shall interject where necessary.

Hon. Job Mukoyandali: Thank you Hon. Speaker. I was worried that the Leader of Majority will not bring out that phrase that somebody must go. Good enough, he has spoken and when the Leader of Majority speaks, the majority of the Members in this House have spoken that somebody must be held liable.

I have two issues that I would like to put across; one, this money for the VTCs just like former speakers have said, comes with some conditions. There is over Kshs900, 000 that has not been utilized and they have not given us a plan on they the amount is going to be utilized.

I stand here a worried man because if *Waziri* is not giving us the framework and on what programmes that money is going to be utilized, then I see a loophole for the money getting misappropriated through foreign travels or something else which is not the intended. *Waziri* should tell us how he plans to use the Kshs900, 000 that is still pending.

I was on record in this House when I said that the IFMIS thing was not working for this county. Of course I was not in this Assembly at any particular time where a resolution was made that we are going to pay money through IFMIS. I don't know if the CECM is right when he says that this House passed a resolution that money was going to be paid through IFMIS. I am sure that we insisted on the cheque system and the advisory that were told came from the Senate; it was just

an advisory. If it was not working for us, and we were clear that the advisory could be put aside and we work for the people of our county by looking at the easiest way of working for the people of Bungoma County. I take it as a delaying tactic so that money is not spent up to the end of the financial year; so that we begin coming here with excuses.

To the CECM, Finance who said that there is some money that was disbursed in the account and he has told us that the Controller of Budget cannot release any money to the account. Money is still on a particular account! He contradicts himself and tells us that by the time the Kshs45 million was being released to that account on the 10th of June, that there was still a balance of Kshs2 million. Hon. Speaker, can the CECM, Finance come clear on this issue so that as a House we are able to understand whether they deliberately refused to request for the funds that belong to the children of this county or what happened? And I wish to be clear on the issue where the CECM, Education has said that money can just be released even if there are some balances on the account. The CECM, Finance is saying they can't release when there is a balance again he indicates that when the Kshs45 million was released, there was still some Kshs2 million in that particular account. Can they come clean on that issue?

Lastly, he has talked of further communication on compliance. Occasionally we are told of these queries that are being raised from other entities coming in form of advisories to our county. Today the CECM Finance has told us that there is some further communication on compliance over the issue for bursary and scholarships. Can he share that communication with this House to beware of what is hindering our children from getting the money for their fees? Hon. Speaker, I submit.

Hon. George Makari: Hon. Speaker, the Leader of Majority said that if we agree and we have agreed.

(Applause)

We must be able to send somebody home. If the Leader of Majority was testing us, then we should be told that we are getting tested today. Somebody must carry the cross.

Hon. Speaker may be in your practice of law somebody did not define the word disaster for you; the term disaster means a sudden accident or a catastrophe that causes a lot of damage. What we are looking at are disasters. These are disasters Hon. Speaker...

Mr. Speaker: Hon. Makari, that is unparliamentarily.

Hon. George Makari: I was defining what a disaster is.

Mr. Speaker: When you refer to them as disaster, it means something else.

Hon. George Makari: Hon. Speaker, they have caused us a lot of damage in the County of Bungoma...

Mr. Speaker: Just use parliamentary language Hon. Makari please.

Hon. George Makari: Hon. Speaker, you can advise on the alternative word to use because from my own definition this is a disaster.

Mr. Speaker: You can proceed.

Hon. George Makari: Thank you Hon. Speaker for agreeing with me that these are disasters. The issue of scholarship and bursary; I one time told you here that there were children that were on scholarship in prestigious schools in Nairobi, Nakuru, Naivasha and other parts of the country; and those children are now at home. They are now walking bare foot going to day schools. I don't want to blame the CECM, Education on this.

(Applause)

The person charged with the responsibility of managing the Treasury in Bungoma is the disaster sitting here Hon. Speaker.

Mr. Speaker: Hon. Makari, refer to him by name please.

Hon. George Makari: This is not a laughing matter...

Mr. Speaker: I do agree but let us have some decorum and refer to him by name.

Hon. George Makari: The CECM, Finance Hon. Speaker. As the Leader of Minority said, we can pass a budget in June, 2023 and by June, 2024 the money for bursary and scholarship is not there! We should sympathize with the people of Bungoma and Members join me in sympathizing.

As Hon. Job said, where it is written; the CECM for Education Emachar was one time Fund Manager in CDF; there is no day anybody will say that if you still have money on the account, no money will come to that account. That is a fallacy. When we were here with the former Governor Wangamati, we used to clear bursary by January of subsequent year and the CECM, Finance was the Chief Officer for Finance at that time. Can he confirm that he was not the one pushing for this money to come? That now when he is the CECM, Finance; the rules have changed. What happened when he was the Chief Officer and now things have changed when he

is the CECM, Finance? You cannot cheat his House that the Controller of Budget.... Hon. Job has indicated that Kshs45 million was released when that account had a balance of over Kshs2 million. Somebody must take the cross and as the Leader of Majority says that if we agree, which I agree, and I have already signed the impeachment motion and that list is now with the Leader of Minority as number two; anyone willing to sign, look for the Leader of Minority. Somebody must carry the cross!

If you look at the statement by the CECM, Finance; that he told the Department to request for Kshs35 million then request for Kshs67.5 million and another Kshs67.5 million; bringing about a total of Kshs180 million. Then he tells the Department to clear that money within three days. Can you clear Kshs180 million and absorb? It is not possible! That is setting up the Department because it is not possible to clear an amount of Kshs180 million in three days. First the cheques will have to be written, taken to bank and that will take some time to be cleared.

Finally, because many people wish to speak; the issue of ECDE national music festivals... Where did these pupils come from and from which ward? I have never seen any school asking me that from your ward, an ECDE class is going for national drama festivals. Was it in Uganda or Kenya because I have not seen such episodes happening in Bungoma. I think the CECM, Education must come clear on that, although at my level, I don't want to blame him much.

The issue of IFMIS that Kshs3.6 million remained on the account because there were some 104 schools that were not compliant. Why couldn't you have retraced your steps so that the same amount can be expended through cheques the way we are writing cheques in the normal bursaries; so that the money is cleared.

(Applause)

Unless we show somebody the door Hon. Speaker, this county will rotate at one place like the Israelites who rotated at one place for 40 years.

Hon. Stephen Wamalwa: Thank you Hon. Speaker. I am also on my feet and I share in sympathizing with the children of Bungoma because we must pay the money and the arrears that are now in schools. My question is, is there going to be true value for money; because already schools are closing. These children have been at home; they have not been in school! Therefore, why are we going to pay the money yet we have to pay. I once said here that I have never been to heaven because I don't know where heaven is; some people say is up here I don't know if that is where heaven is. Honorable Members; most of us will never see heaven. Because we have been given a responsibility by God himself; but are we doing what God expects of us?

I am a teacher by training and being in school I also saw some teachers training students how to play football; it doesn't matter if you are a Messi, Ronaldo or whomever in that team. If the team loses you have lost. However skilled you are you can dribble from the far end to the other

end of the pitch, but if the team is not solid, you cannot win. Teamwork is what I am talking about. So to you CECMs and Chief Officers, all these mistakes you are trying to throw to each other. I don't know why, because as a teacher, I know one thing. I was taught to teach and to correct. And when a student has messed up, I correct and tell the student, go and correct here so that you can pass next time. If you are doing that, we will not be here.

If you two teams, Finance and Education are corresponding and working well with each other, this issue will not be in Bungoma today because you have helped each department to achieve the best so that we move forward as a team. Where I stand, the two departments never shared, never tried to engage and help each other, and that is why we are here.

I want to pray that if ever this thing called bursary will be there, because maybe we don't want it. If ever bursary will be there, bursary is not something that you can have procurement upon. Do we have procurement for issuance of bursary? Do we have procurement in the issuance of scholarship? And if we do not have procurement in the issuance of bursary to the children of Bungoma, if we do not have procurement in the issuance of scholarships to the poor and needy children of the peasant people of Bungoma; then we should be dispensing with all these issues in January.

By January, we are done so that Bungoma can get true value for the money. The money paid early enough in schools will ensure that our children, whom we are fighting for, stay in school, utilize the money, so that then, we have true value. But as we speak, we are going to pay, yes, but I can assure you it is a wasted Fund.

Article 226(5) of the Constitution says; *“if the holder of a public office, including political office, directs or approves the use of public funds contrary to the 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.”*

Therefore, this issue of money that some officers used, misappropriated, misapplied, Honourable Members, I don't know if we are together or not, the money should be returned where it belongs. And it should be returned with immediate effect. In fact, it should be galloping or sprinting or whatever, but the money, should be there because one of the mandate of the devolved functions, I mean units, is VTCs- Vocational Training Centers! Let us go around. Maybe the only Vocational Training Center in this county that is functioning very well is Mteremuko; the one in Musikoma known as Wekelekha plus a few others. Others are neglected! They are in pathetic conditions! The instructors are never paid. They are doing what we call voluntary work. Those people are not paid; and our children, the children of the people we represent, and we encourage them to join those institutions.

When they go there, there is not much that goes on; and we want to say that we are performing our functions, and the money meant for the same is taken by an officer and goes to Korea.

It is a pity and we want to say this for the first time; such an officer, if they bring the paper, I will sign for that.

(Applause)

For heaven's sake and I am in government, I am the Deputy Speaker of this county and I am loyal to the government, but I have to say the truth. I came here to work for the good of the people, and I swore by the Bible here that I am going to serve the people of Kenya. It is wrong, as I finish, because others have to contribute. We want to urge, and I want to pray that Members outside there; we have people called Gen- Zs, and even the officers seated here, the CECMs and Chief Officers know that we have people, Gen- Zs outside there who say that this House is sleeping! That we are not able to transact and work for the purpose we were elected for. Yet we stand here every time and do what is right. We want to say that officers, please, do what is right, we will support you. But when you do something that is going to bring us down, before we reach down... God bless you.

(Applause)

Mr. Speaker: Jeremiah, then after Jeremiah, I will have Hon. Tony here. Proceed

Hon. Jeremiah Kuloba: Thank you Mr. Speaker. Mine goes to the CECM, Education. I have a VTC that has two students. I have a VTC that is not registered. I have a VTC that has no land. I have a VTC that has no building. My query is this, how do you go about this?

Mr. Speaker: Honourable Members let us have some guidance. Our questions should lead to the responses given to us here.

Hon. Jeremiah Kuloba: Yes, I am right.

Mr. Speaker: If you wish to bring a statement, go bring one, please.

Hon. Jeremiah Kuloba: It is not a statement. I am building my case. I am coming there. How do you end up allocating Ksh140, 000 to a VTC that has two students? My advice here was that the students were to be taken to another polytechnic and the money be taken to that polytechnic. It was not done that way. There must have been some... I don't know the word to use, but that money was not meant for that polytechnic, and yet it is public money which is meant to assist our students. And lastly, according to the information given about the scholarships, we would like every ward to be furnished with a list of all the beneficiaries that are in that particular ward.

Mr. Speaker: Hon. Tony?

Hon. Tony Barasa: Thank you Hon. Speaker. Before I contribute, maybe I will ask to inform Hon. Jeremiah that the criteria used to allocate Kshs140 is under category...

Mr. Speaker: Hon. Tony, don't become...

Hon. Tony Barasa: No, it is here.

Mr. Speaker: You ask yours, they have time to respond.

Hon. Tony Barasa: Hon. Speaker, we are talking about the interests and the lives of the people of Bungoma County. Allow me to appreciate first the CECMs and Chief Officers who have come here to give us the response. One, I would like to start with the CECM, Education. Mr. CEC I know as you come to read this document before the House. It is being prepared by your technical people and sometimes be careful what you come to present here.

My concern is on page 15 in relation to page three, whereby you are talking about the activities of VTCs, allocation of special activities in VTCs. We want to underline the word VTCs. But in page three, the narrative is changing. You are now allocating and you are giving us the names ECDEs. These are different issues; and the cartels are there, giving you documents to come and read without verifying.

On the same page, the issues of VTCs are clearly stipulated. How on earth are we spending millions of money on issues that are not related to VTCs? For example, taking Kshs540, 000 to go to Butere for ECDEs co-curricular activities! And you are coming to present it here, talking as if it funded VTCs. We must be watchful. We are going to spell it out because the lives of our people must be catered for.

In the allocation of the same VTCs, I have also gone through the enrollment. How comes Chwele, with a population of 233, is receiving Kshs50, 000? One speaker has said here, money is being circulated within Wekelekha and Mteremuko. It is getting a lot of money, to me, without accountability. So Hon. CECM, we must go and dig deeper in terms of how this money was channeled and what activities they do.

(Applause)

Sometimes and *Waziri*, I want you to be careful when reading these things. You have given us a breakdown of Mteremuko of Kshs451, 800; what activities were there? I am not seeing the activity. And then if we have these ECDEs, national festivals, who has been communicating this? Because as an Assembly in case of any appropriation, we must know!

Our schools, *Zimekuwa ziki...*sorry, Hon. Speaker, I want to stick to one language. Allow me also direct this one to CECM, Finance. We want to be honest with this House. You have said very well that the Department that is in page two of your response that led the Department of Education to break down the request in three tranches so that you can pay it in three days. CECM, we have been here with you for the last one year and there is a letter dated 27th of June by CECM, Education requesting for you to disburse funds meant for scholarships and bursary.

(Applause)

Why are you telling us that I now go and write a request and you can disburse it in three days and yet you have been here for the whole financial year? Let us be truthful here. I wish to end there.

Mr. Speaker: Members allow that after Jack Wambulwa has spoken; allow some responses to be done. Or we may end up with 30 questions and have no responses. Let us give some break, respond and from there I think we proceed. Hon. Jack, proceed.

Hon. Jack Wambulwa: Thank you Hon. Speaker. As I rise, I wish to put this to Members. You remember when we were vetting these CECMs and Chief Officers; there were reports that came before us. We were saying the government is eating us. There was a report on a Chief Officer being mentioned here from the intelligence agency. It was very clear; we went against our government and here we are.

Number two, Members, this is our government. Budgets have been coming before us. If you remember very well, do you ever see them give priority to scholarships? Do you ever see them give priority to bursaries? The final question, do they want the poor child of Bungoma to go to school? It is like we have been forcing them to implement what they don't want. They have never respected this House.

As I start questions to the CECM, Education, you have told us there was the first batch of three per cent that was released to Wards. Elected Members, has any of the three per cent gone to any of your wards? You need to tell us where that money is because as far as I am concerned, no vote has received a single cent; both from scholarship and bursaries. When we were being told by the CECM, Finance that we had a resolution on how these monies were going to be released via IFMIS, I don't know when that resolution was made in this House. Members, did we have any resolution?

(Loud consultations)

So why are we being taken round and saying that this House made a resolution on how this money was being paid through IFMIS? I remember it was a consultative meeting. I was part of those who said, now that the Senate has advised us, for now let us allow so until when we

sensitize the schools to comply with the IFMIS requirements. Let us release money in cheques. But then they went against us.

I want to ask our CECM, Finance; when we are coming towards the end of the year, him being in charge of finances, especially the ones that come from the national government. I am very sure he is supposed to communicate with departments and tell them or remind them to commit or forward any pending payments to the Treasury so that they can process. Is that not the procedure? And if it is, is there any memo that was written to these departments, including Education to show that he requested them to submit the list of bursaries and scholarship of which they never did? What has shocked me from my brother, CECM, Chris, he is saying that the government closed or the IFMIS closed. As far as I am concerned, IFMIS closed on 15th of this month.

It was not at that particular time. So we need to be told, where this money is? And finally, as I go to sit down, *Waziri*, we are here as sons of Bungoma. Better me and you, we are on payroll. There are parents out there who do not have even a meal at the end of the day and those are the people we take care of.

Now that we have closed, as you claimed, do you want to tell us this money was lost just like that, or it was committed somewhere? It will come through the supplementary and take them to the schools. I need that confirmation. If we lost that money that way, then there is negligence.

Otherwise, I wish to stand with what the Leader of Majority said. Those responsible, those who are out to make sure that the poor, needy students do not go to school must carry their own cross through impeachment, through recommendation, so that people can go home.

(Applause)

Mr. Speaker: I will have Hon. Milliah Masungu and then from her, I will allow the concerned Chief Officer and CECMs to respond. Then we will come for the second round Members. The day is still very young. Proceed.

Hon. Milliah Masungu: Thank you Hon. Speaker for giving me this chance to also walk this talk with my colleagues on behalf of the Bungoma people. This country right now is in this mess...in this mayhem because of incompetent Cabinet Secretaries and corruption at the National Parliament; and it is replicated in the County Government of Bungoma.

Bungoma County is on the news headlines all over for the misappropriation of funds, proved allegations, but all those funds have been approved by this Honourable House. I wish to distance these Honourable Members from those allegations, because we have done our part as Honourable Members.

We have never been brought the itemized budget on the Floor of this House. So the allegation or whoever is putting it across should pardon these Honourable Members. We are here to serve our people. We have been voted here to defend the poor voters on the ground.

Back to what we are here for! May I request the Chief Officer, and *Waziri* Education, to tell us if the Department of Education has policy guidelines and regulations in regards to the two mother departments inside the Education Department, that is VTCs and ECDE. We wish to know; and if it is true they are there, then he must tell us why, or what guided him to spend money meant for VTCs to ECDE activities.

CECM, Finance should also confirm to us where the Kshs3.9 million meant for those institutions that did not benefit for scholarship up to now are. On scholarships, the Kshs51 million shared amongst these schools has a procedure on the sharing. Inside that amount, we have beneficiaries for the national schools; we have beneficiaries for the sub-county schools, and the county schools. Can he come out clear? Because back in our wards, we are finding out how this money, how these children were benefiting.

You find a child in a national school; he has been paid for school fees of Kshs10, 000 and when you go to the Department, you find some other children were even paid for Kshs75, 000. What was the criteria being used? We are aware of the fee structures across board. We are aware of the fee structures for the national schools, for the sub-county, for the county schools.

Recently we wrote cheques from our wards and while at it we were told money is on our accounts. We were given cheques and I wish to applaud the Honourable Members. We tried, just because of the push on the grounds and being nagged daily in our homes, we did our cheques. We took only the latest. They took three to four days. Already, the checkbooks were in the Education Department. As we are speaking right now, you cannot even know whether the cheques have been banked; because when you go down there, you cannot trace which cheques are from your ward.

The bank slips; there is a total confusion in the Department of Education. Can the CECM tell us on how they allocate the checkbooks, the returns, the bank slips of Misikhu Ward; because most of the Principals in these schools have rejected those cheques. Some banks like Equity have rejected the checks from Bungoma Education Department. ABSA Bank has rejected, Family Bank has rejected. CECM, Education, tell us how these children are going to get their monies. Lastly, because there are so many speakers, why should we wait until the tail end of a financial year is when we are struggling with this Education Department?

I want to concur with the Chair, Budget that the County Government of Bungoma has no interest in educating the poor children of Bungoma County. All the departments of the County Government of Bungoma are sleeping on their job. We have the power of invoking Standing Order No. 77 and we have all the grounds to do it. I wish to urge this House that what is happening at the national level should not be a replica in Bungoma and we are here because we are carrying the blame.

What the Executives are doing, they want us to go home as early as yesterday. We cannot allow that, Honourable Members.

(Applause)

They should go first and we follow.

Mr. Speaker: Thank you, Hon. Milliah Masungu. Honourable Members at this juncture, allow me allow some responses to be given. If you have spoken before, kindly allow others to also speak. I once said here, if you press a request and then keep on pressing, you may be ranked as number one, but when you press again, you come at number 11.

I will go for that number 11 that you are appearing as at now. So that is the way to go. If you continue pressing it changes your position. Let us have CECM for Education proceed. I see the day is still young. Don't worry.

CECM, Education: Thank you Mr. Speaker. The first question was about how much was allocated for each student in terms of the scholarships? The Department had allocated Kshs25, 000 shillings per student for national schools, Kshs20, 000 for Extra County and then other institutions; form one, two, three, and four at kshs10, 000 each. Maybe I need to just mention at this juncture, most of what I am reporting here is what I found had already happened. But nonetheless, the way I had said earlier, I will give a comprehensive answer to all the questions that you have asked me to respond to.

On the grant of Kshs19 million; when I was transferred to the Department of Education, that amount had already been allocated as I defined in my earlier submission. There was no fresh allocation that we did as officers who came in. Regarding the three per cent which was for the first disbursement of the Kshs45 million which was sent to the wards; Kshs13 million per ward... that is Kshs13, 000 per ward; that had already occurred even before I came in.

But I am under obligation to go and dig out to know how that amount was appropriated. I am going to get a breakdown and do reconciliation for that. About the VTC money of Kshs972, 000, which was held back and that also had been allocated to be used for that purpose of clearing desks and chairs from Korea. And that process is still going on. I believe.

Mr. Speaker: Yes, Hon. Meshack, what is the issue?

Hon. Meshack Simiyu: Mheshimiwa Spika nataka kushukuru Waziri vile anavyoongea lakini sijaridhika. Anasema wale walioenda... Sasa kama ana *respond* (anatoa majibu) na tuache hivyo; huu mchezo utaendelea hivyo. Ingekuwa vyema kwa sababu hii kitu hatuezi acha; pia yule aliyekuwa kwa hio ofisi lazima aje na kwa sababu hajaenda mbali. Atueleze ukweli vile pesa ilitumika.

(Applause)

Mr. Speaker: At an appropriate time if someone is mentioned adversely and you wish to take action against him, it is routine that he is given a chance to respond accordingly. He may not be here but when you want to take action against him, he is going to be given a chance. Let us be aligned with one issue here. The issue of bursary and scholarship has been on since the beginning of last financial year. So he said he would be answering but on the record given to him.

So Hon. Museveni is very right and at the appropriate time, we revoke the relevant provision of the law and the Standing Orders to have those people summoned before the relevant Departmental committees. Yes CECM, proceed.

CECM, Education: Thank you Mr. Speaker. As I continue, there was an allocation of money for the ECDE festival that I can also confirm that the allocation had already been done even before I came in and as of the balance of Kshs3.6 million on the scholarship account, I wish to confirm that the issue of releasing that money from the account at the central bank is an IFMIS matter and that is a matter which squarely rest within Finance.

I wish to confirm that we are only in control of the KCB Account in Bungoma and not any other account in Nairobi. I wish also to say that no balances whatsoever in any account can prevent that account to receive more money. There was an issue raised by an Honourable Member about the payments of instructors in VTC Centers. It is the VTC board that are responsible for paying those Members, but the allocation that we give them is also supposed to take care of that .

Honourable Member raised the issue that he has fewer students in his VTC; somehow none, but as stated earlier, the allocation that was done was based on tiers the one I explained about 1-50, 51-100 etc. We are still going to follow up with those VTC on how they spent those particular funds.

As for the list of beneficiaries and scholarship that is already in annex one that we presented earlier; it shows what allocation was given to each student. The allocation for VTC Chwele was 190 and not 50 because 50 was for another program of funds drawn from the initial VTC allocation of Kshs190million. As for the funds for Mteremuko, it is already depicted in my analysis in the attachments. I would request that you refer to those attachments reference to Mteremko VTC

The first tranche of the three per cent bursary administrative fee was sent and I confirm that I am going to dig deeper to see how those funds were used.

Regarding policy guidelines, we are yet to find out if they are there; but I believe it is there and what I have come across is the Scholarship and Bursary Regulations. Regarding the cheques, of course they are sent to the Wards, they are written at the ward level but as earlier explained all the cheques that were written and signed were banked into the account and our account is reading a balance of about Kshs17 million; the breakdown of which I gave earlier.

Mr. Speaker: CECM, Finance?

CECM, Finance: Thank you, Hon. Chair. I wish to respond to several issues that have been put across

Mr. Speaker: The only area we do not understand is this issue of blame game; some balances, money cannot come in... so as laymen, how can we verify such information. I have heard CECM Education say that money can come in you are saying money cannot come in. So we as outsiders; how do we know what is happening in the kitchen?

CECM, Finance: Chair, the only body that can confirm is the Controller of Budget. He is to be written to and to confirm whether money can be released when the balance is on the account. In my office, I am the Head of County Treasury and I am in charge of compliance in terms of Public Finance Management. When we talk about requisition of funds, we are talking about how you requisition for funds.

Like exchequer releases; they are not released at once. They are released on a monthly basis but they fluctuate. In this circumstance, most of the times it is like I hide behind the PFM Act, which I am supposed to be in charge of and when you read Regulation 43, it indicates very clearly how you requisition for money from the Treasury. You must provide a cash flow plan. I want to see the cash flow plan from the Department of Education. It is a basis of requisition of funds to Treasury

What we are taking about that was supposed to be paid on IFMIS the way I understand here is like money is available. That the CECM, Finance can authorize it to be paid; it is not! Once an exchequer issue is done, it is issued to CRF, that is the County Revenue Fund Account, and when you want to access that Fund you must provide a requisition. On this subject, the question was why we wait until the end of the period is when we start struggling for bursary funds.

I remember Members of this Committee came to my office when I was still at the Treasury and they came with a claim that why have we delayed to pay. I think it was this year at around February or March when they came and the Department team also came; there was no list and no requisition in the Treasury. Most of the wards had not submitted the list and that is why we indicated requisition for this exchequer in bits so that when the exchequer comes, we are supposed to distribute so that we clear it.

(Loud Consultations)

Mr. Speaker: Let him finish then I will allow members to speak.

CECM, Finance: Yeah. It is important you know if you decide on something; also allow someone to present their case so that you understand my position as it is. The issue on distribution of the scholarship and bursary and cheques; we appeared before the Public and Investment Committee in Senate and we were with the Department of Education and if you wish to confirm even further, the Committee of Devolution and Intergovernmental Relations came recently and my Chief Officer will clarify. The same question was asked to the CECM. Are you paying through IFMIS or cheques? It was clearly indicated and he will clarify if you allow it.

The other matter I wanted to bring out; when an Honourable Member indicated that they did advice the departments...

(Loud consultations)

Mr. Speaker: Members the consultations are very loud and I think we are all Honourable Members here. Let us have some decorum please.

CECM, Finance: ...they indicated whether as County Treasury we provided guidance on the timeline payments on IFMIS. I have a letter indicated end year procedures which I wrote on 7th June to all departments indicating to them to ensure that if there are any ready payments, they must ensure that they are brought to treasury before 24th since the Controller of Budget had indicated that all requisitions will be brought before the 24th of June; so that Central Bank can clear them by 28th. That was communicated and I have evidence which I had provided in the file for that direction and when we were making these payments, the 45 million which was there; we paid on the 10th and thereafter, the exchequer that came on the 25th of June and the document that was on the IB platform that time was for Kshs90 million for payment of bursaries.

That time, there was no other requisition on the platform and it was cleared on the 5th of July. That is the position of the exchequer; exchequer releases always come on monthly basis and when it comes, it is supposed to be distributed across all departments and like this year, most of the time, salary is given priority in the exchequer and that also compromises in terms of you pay block or you distribute. The exchequer for June as we speak didn't come and so it means that we could not pay all the requisitions on the platform

The budget is financed by the revenue and also equitable shares. At the end of the year the expectation was that we collect 100 per cent of the revenue, but we did not. We expected that funds will be available to finance all the requisitions that are on the platform; and that Chair we can verify if given time to submit; because we also want to talk on facts so that we are able to deal with this matter.

When I appeared before this House, the issue we agreed here and I remember very well; Members were having a consultative meeting in which I agreed. We indicated that all the cheques were ready for disbursement and the issue was that we just write the cheques and when we have the funds; we just release all the cheques to the bank.

The first requisition was of 45 cheques and when we were ready, we then indicated that if you dispose all these cheques in the bank, then it only takes three days to be cleared; then we ask for other funds because all those cheques are deposited in KCB and that was what we agreed on and that is the reason I said within three days, you are cleared and we apply for the next one. That is why I have indicated that for the purpose of returns; let us also bring out the Controller of Budget so that it is clear to us

The other issue of scholarship, we must come out clearly now! Do we follow the resolution of Senate as advised or we go against and who should bear the risk. That should also come out so that when we appear before Senate, we must agree.....

(Loud consultations)

Mr. Speaker: Members, I think the talking is too loud please

CECM, Finance: Chair, we must also agree who should take the risk. If the decision is that we pay through IFMIS or we take cheques, then the Assembly should agree. If Senate makes a resolution then they should also take a risk. The cheques should be applied for when again it has been said that that direction is not there. I think that should also come out clearly.

To conclude, Treasury has no responsibility to block or derail the consumption of funds on a department; it has no intention to block. What we are indicating here is the resource that we have and the cash flow that we have. When we divide and on that one, I am ready to bring the monthly

exchequer plans here so that you see how you distribute resources when the exchequer comes; so that we understand when do we say scholarship was paid or not. That one we are also ready so that we have fair ground in terms of propositions.

Mr. Speaker: Before we proceed, Members let us wait first kindly. Take your seats please! CECM, Education...

(Loud consultations)

Members can we have one meeting, please! I am reminded that there was an issue on the conditional grant; I think you didn't cover it. The Kshs19 million is a conditional grant, how it was it spent since any grant has accompanying conditions; whether it was also providing for funding; the ECDE drama festivals and allowing the Chief Officer to spend Kshs820,000 to go to Korea. Kindly clarify that issue before I open up the Floor; but Members who have spoken, let us be very fair to others please

(Applause)

(Loud Consultations)

Honourable Members, some of the questions you going to ask should not be repetitions, please. CECM, the issue of the grant of the Kshs19 million; of course grants always have conditions. This was raised by the Hon. Leader of Majority. Did that grant have conditions of even allowing the same to be spent on the ECDE programmes or not. Equally, the issue of spending out of the budget of the Department and even funding foreign travels; I am aware that as we approve the budget, we always have the travels expenditure separate. Yes please?

CECM, Education: Thank you Hon. Speaker. The issue of the Kshs19 million VTC grant does not have any conditions. The Kshs19 million was meant to go to the VTC institutions and so any other allocation from my view could be ultra-vires. I think there could be something that happened there. Now, regarding the requisition to the Finance Department, they were all done in time and I have documentation which I can provide later to prove that all the requisitions from Education were done on time to the Finance Department

(Applause)

Furthermore, when we make requests to Finance, we don't attach bursary list; it remains at the department and we just request for allocation of those funds which we appropriate them accordingly at our level.

Mr. Speaker: Members I beseech you allow me allow other Members Speak. We cannot speak all of us; if you had a chance to ask something then why can't you allow a brother to speak! Be your brother's keeper! I am asking you Members; if Hon. Tony asked something which you had planned on asking, then ask about something else. Let us avoid repetitions please; that is my humble request to you

If you have something you can even write down for a colleague who is going ahead of you so that he can ask for you if it is agreeable. Hon. Nangulu, I am coming to you. Hon. Ipara, proceed

Hon. Johnston Ipara: Thank you Hon. Speaker. I see Members are saying they made a time for me and I appreciate that action. Let me start from where Hon. Makari left that this is disaster. I wish to put it this way; this is a dangerous practice that should not be allowed to go on in Bungoma County. You have seen the episode that we have experienced...we must show some people the door, we must! If you listened to the CECM, Education, he just confirmed that there are cartels that are within the departments who have taken him and the rest hostage. For how long are we going to allow this, it must come to an end and this is the time to do that. You have listened to the CECM, Finance and it takes us to the animal farm where some animals are more equal than others and a good example is for my respected friend Hon. Mukhongo. He went to Zambia, Hon. Waiti and Hon. Jack up to this moment they were never paid; but the CECMs and the Chief Officers who accompanied them were paid!

(Applause)

What is this precedence they are setting? I wish to say that those who misappropriated Kshs3.8 million shillings must be shown the door and they should not be taken to EACC where we say let us sit down and negotiate as if it was negotiated for some people who defrauded this County millions shillings and are still seated here with us.

(Applause)

Why should we be sitting with criminals? Negotiating over what? Criminal belong to jail and not in an Honourable House like this one

(Applause)

We are tired and we now make a declaration that we should not be taken backwards; we have decided to go forward and we shall fight for the rights of the people of Bungoma County as Honourable Members; unless you never heard what was said last week. When we deliberated on this issues in the supplementary budget; Kshs148 million was sneaked in and amongst them was the notorious one of Kshs25 million for flowers. We, in the Department of Roads said no and our recommendations were no; but because other animals are more equal than others, it was forced onto us.

(Applause)

Let me prosecute this instance that make the National Treasury of Kenya to refuse to release funds to a County Government; the first reason is non -compliance with financial regulations. Did the Department of Education contravene this? The answer is no, the person who contravened this is CECM, Finance who is seated here with us.

(Applause)

We have been taken for a ride for a very long time and when I was seated here, I was watching you call my name but wisdom has just dawned, I say thank you for that Hon. Speaker. For instance, that money can be stopped from being released to a department is evidence of misappropriation of funds! We agree they misappropriated Kshs3.8M when they diverted that money to the assignment that was initially planned for and this money was taken away from Kshs19 million which is a grant meant for specific purpose. But because they are used to ignoring the requirements of the laws; they diverted it. This particular person was rewarded instead of being given matching orders. He was rewarded by being given another position in another department after he had done a wrong thing in the initial department.

In our County, we are not performing well and the reason why we are not performing well is because we have people who are not patriotic! We have people who are not honest and they are serving in very senior positions where decisions are made and they must go. The other reason why that money cannot be released is when there is lack of financial reporting; and in this case, who reports on behalf of Bungoma County. It is the CECM, Finance who reports and he wants to tell us that money was not released for this department. it is a pity! I remember sitting in several consultation meetings and the assurance that came from the CECM, Finance was, “I will make sure all the money for scholarship and bursary will be released on time.”

This is a total failure! This is a person that cannot hold an office and should receive marching orders like yesterday. The other instance where money cannot be released to a county is failure to meet revenue targets or failure to meet its own revenue collection. This is an area that we are underperforming. During the era of local authorities, they used to collect more money than we are doing right now as the County Government. When COVID was there, we collected more money and today we are not collecting. The reason is...

Mr. Speaker: Hon. Okasida, let us respond to the issues at hand. I don't like interjecting any Honourable... Prosecute your case as per the responses given to us here on the bursary and scholarship. In other words, you could have your day...

Hon. Johnston Ipara: I am prosecuting this, Hon. Speaker. Thank you for the guidance, but I am prosecuting this based on the response that the CECM, Finance has given on the Floor of this House and the Hansard can confirm me wrong or right. We should not allow this! We should not allow people to take advantage of the rules and regulations of this House to hide the truth. Who does the National Treasury talk to in the county? It only has four people that the county talks to; the National Treasury talks to The County Treasury who has the role of managing policies and regulation, and also monitoring and evaluating the performance.

The second person is the Department of Finance, where the CECM comes in on economic policies and also directing why we are poorly under-collecting. The third one among the five is the county budget and lastly, under that, serious issues that I am raising. Who has the

responsibility to release funds to the counties? It is not us, it is the National Treasury, and it does that in quarters. It transfers that money to the County Revenue Fund, CRF.

I say what I say. My Leader of Majority, you will respect me for this, because actually bad things are happening in my county. Minority, the list that is going round, let it not be the list to be used to solicit for money.

(Applause)

Let that list be for action and the action is, we must have marching orders for some people who take Bungoma County for a ride and that ride should stop today! I support.

Mr. Speaker: Thank you Hon. Ipara. I will have Hon. Nangulu, Hon. Otsiula then come back to this side.

Hon. Charles Nangulu: Thank you Hon. Speaker. I will be very brief, because my colleagues have mentioned quite a lot. My question goes to the CECM, Education; where over Kshs900, 000 was used to clear for seats that were being dumped in this country. Have they done any evaluation of how much the seats cost so that we can spend this kind of money on them? In real sense when dumping is done in Africa, we find that these seats could even cost less than half a million. So, you should give us the value of the seats before we spend this kind of money.

This question goes to the CECM, Finance who has said that before any money is disbursed to the special bursary account, there must be nil balance. He has claimed that he has been doing the same. Can you confirm that the few times he has put this money on the account, there has been nil balance?

Mr. Speaker: Hon. Otsiula,

Hon. Benjamin Otsiula: Thank you Hon. Speaker. Today we have seen some light. That since this County Assembly confirmed me as the Chair of Education and Vocational Training, I know for a long period of time many of the Honourable Members have been doubting my credentials to hold this position, but today you can confirm from the way these proceedings are progressing that the Committee on Education and Vocational Training has been offering the correct oversight.

I am sorry to say that if governments eat their own people, I am alarmed at the rate at which this government is trying to consume some of us. I want a very direct answer from the CECM, Finance. Is the Kshs45, 000,000 and Kshs80, 000,000 meant for bursary and scholarship respectively there or not?

Mr. Speaker: Honourable Members, you know I don't like interjecting

(Laughter)

Sometimes have some decorum, please. Yes, Hon. Otsiula, wind up. No, Hon. Jack, let us have some order. Proceed, Hon. Otsiula!

Hon. Benjamin Otsiula: I appreciate Hon. Makari; he is a former Member of the Education Committee and he ran away when he realized that these funds were not coming quickly. That is why he is very happy that I am raising the issues.

The third question; we are talking about three point something, around Kshs3.6 million being held on an account confirmed by the CECM, Finance.

The CECM, Education has said he wrote to the CECM, Finance requesting him to release that money to the Department of Education so that cheques can be written to schools. What was so difficult for the CECM, Finance? Why didn't he release the money to the Department of Education?

(Applause)

This money was meant for scholarship. The Committee on Education and Vocational Training... several questions posed to us by Honourable Members that we have failed in our mandate. Somebody somewhere should not make my members appear as if they don't know what they are doing. Senior members like Hon. Ali Machani Balala, seasoned members in this House, Honourable Members sitting on that Committee holding on to that money in itself is negligence of the highest order. We should not tolerate that kind of...

Mr. Speaker: Hon. Okasida, are you inviting me to take action because if you want, I can do it right away.

Hon. Benjamin Otsiula: Because if we have an account at KCB, meant for the Education and Vocational Training, why is it so difficult for this money to move from this point to this account so that the departments can disburse these funds towards students who have already been locked out of schools because scholarship students are very needy students.

We must get an explanation as to why he is still comfortably keeping that money up to this point and he says that the CECM, Finance cannot get more money from Nairobi if money is still on his account; yet he is the same person who is holding the money instead of transferring it to the KCB account for disbursement.

(Applause)

The answer is already there.

Four, I want an answer from the CECM, Finance. As a CECM Finance, is it not his role to offer financial advice to all these other departments? If he talks about late release, the Department of Education has been requesting for funds meant for bursary and scholarship since the budget was

approved. What culminated in the consultative meeting that we had here between the CECM Finance, CECM Education and 45 elective members. Was it the issue of bursary and scholarship? Which month was that? It was way back in April... this issue started way back in February.

We had a meeting with the Department of Education until they were complaining that the CECM, Finance is not cooperative. He said; I have an advisory from the Senate saying that we should pay money through IFMIS and so I am not going to allow the cheques. That is why we had that meeting because the 45 elected members wanted us to go by the system of cheques.

Now, if he says that the requisitions delayed, he has taken oath. We had a consultative meeting when the department had already requested for money meant for bursary. Why is he lying?

(Applause)

He has failed in his mandate. If he confirms to this House that we don't have money for bursary and scholarship, that is Kshs80, 000,000 and Kshs45, 000,000; then let this Honourable House do the Honourable thing.

Finally, before I sit down, because this one has been a very challenging issue, I want the CECM, Finance to also clarify. Does he double up as the CECM, Education and Vocational Training, or is solely the CECM for Finance and Economic Planning. If he says he will handle bursary and scholarship, what is the role of the CECM, Education and Vocational Training?

(Applause)

As I sit down to give other Honourable Members a chance to address these issues, and I said here before; we did the second supplementary budget approved by this House. The CECM, Finance was able to request for money at the tail end of the Financial Year for purposes of Madaraka Day celebrations.

(Applause)

What stopped him from securing money meant for bursaries and scholarship also at the last minute?

The CECM, Finance said that we be fair in this process. He was given a chance to respond and he responded. He has not brought any single document to confirm the correspondence that has been there between him and the sister Department. He is now saying that he will go and prepare and submit. When the CECM, Education has been put to task to confirm the figures before these proceedings, before he decided to move on with the process; why does he think that he is so special that he should be given more time to go and prepare documents to come here and take us through them?

You gave him enough time to present documents for the benefit of this House to interrogate. If he doesn't have any document to show that the Department failed to request for these funds in good time, then there is no need of him telling us that he is going again to look for more documents. We are a House of Honourable Members. We cannot be fed on hearsay. We want tangible evidence. Today is a day that we want everybody to exonerate himself so that we secure the future of our children.

The Education Department will secure the future of our children in this county. If we allow this culture to continue then it means in future we are going to have very few teachers, doctors, lawyers, instructors and professionals. Therefore, if the money meant for scholarship is not there, it means somebody has dropped out of Mangu, Starehe and Kamusinga because of an individual mistake of one Honourable Member.

(Applause)

This has to stop!

Mr. Speaker: Thank you Hon. Otsiula. I will have Hon. Everlyne Anyango.

(Loud consultations)

Honourable Members, Order! The day is still very young. Proceed, Hon. Everlyne Anyango!

Hon. Everlyne Anyango: Thank you Hon. Speaker for letting me make comments on this critical issue.

Mr. Speaker: Kindly, members who are yet to contribute, let us avoid repetition. If someone has spoken about something and you are yet to speak about the same just drop it. Proceed!

Hon. Everlyne Anyango: Thank you Mr. Speaker. As I stand on this Floor, I am standing as a disappointed mother and I want to repeat what I once said in this House. I said my core mandate as a nominated MCA is to serve a mother, a youth, and people living with disability. The youths who are students, mothers of the youths who are students of this county have suffered

(Applause)

I think the CECM, Finance will not forget my face. We were in Kisumu one time and I asked him what a PFM Act is and asked him in the laymans language to make Hon. Anyango here to understand. Can you be clear; and today he has confirmed to us again, he has said, you say most of the time that I hide behind the PFM Act. Being eloquent and knowing how to use a calculator is so different from how to bring up a child. A child who was in Mangu going to Ranje and still no fees... I am a disappointed mother.

(Applause)

As I speak, one Honourable Member has just said, it might look to you as a repetition, but I wish to emphasize on this issue.

It was just a few days ago in this House and we sat and Kshs148 million surfaced from the bush and flowers and everything were done. The CECM before us has just said that when the exchequer comes, I divide, I cater for this... As a mother, when I make Ugali or rice, I consider my children first. He is a father seated before us and does not care about the education of the child of Bungoma County.

(Applause)

That when the exchequer release is on his table, he sees other things, other projects, other bigger projects and other bigger things to be done in this county! I am a disappointed mother and I wish to finalize by saying with all my energy, I support my Leader of Majority. The CECM must go!

(Applause)

Mr. Speaker: Thank you, Hon. Everlyne. CPA Nganga, then I will have Hon. Chikati.

Hon. Hentry Nyongesa (On a point of information): Thank you Mr. Speaker. Looking at the House and the matter at hand and looking at our Standing Order No. 33 which requires that the matter being discussed and looking at the time that we have, I wish to inform the House to seek for an extension of time within 30 minutes to the

Mr. Speaker: Hon. Hentry, you have come up very early. It is premature. It is not yet 6:00 p.m.; then again looking at the clause; it talks of 7:00 p.m. So you come up at 6:30 p.m. I will give you up to 8:00 p.m. or 11:00 p.m.; no problem, the day is still very young. Let us proceed!

(Applause)

Proceed Hon. CPA Nganga,

Hon. Everton Nganga: Thank you Hon. Speaker for giving me chance to contribute towards this motion that was put forward by our Leader of Minority and seconded by our Leader of Majority.

I am a disappointed person and sympathize for the children of Bungoma County. It is like the children of Bungoma County have a lesser God than other children from different counties.

We have a situation where the Executive have a higher appetite to appropriate money to activities which are not priorities to the children of Bungoma County. From where I am seated, I see that we need hygiene in the two departments; we are supposed to clean the two departments!

In the morning when I met Hon. Stephen, he told me that he is subject to the rule of the mob. The rule of the mob in one word is called *ochlocracy* which is where we members here are subject to the rule of the mob outside there when you move around in the village. The electorates who

elected us are saying that they had delegated some powers to us to assist them to do what is required, but now they are taking the powers back.

The issue of scholarship and bursary actually is a thorn in our flesh and is actually disturbing us everywhere we move. I would like to say this; from what I have listened from the two CECMs, it is like there is a theory of information asymmetry. Information asymmetry is whereby one department has more information than the other.

(Applause)

Finance Department has more information on how IFMIS is operated than the Education Department; how they request for funds, how it is closed and how they apportion to different activities. If there is a department that is actually messing the whole County it is the Finance Department! For timely disbursement of bursaries and scholarships to schools for the children of Bungoma to learn, somebody must go!

(Applause)

For Honourable Members to sit silently and concentrate in their homes without problems; we should clean the Finance Department and somebody must go.

To exonerate Honourable members from the rule of the mob, from *ochlocracy* where everywhere I pass some people are chanting bad words against me from the Gen - Zs. In fact, yesterday I told Hon. Stephen; please, if I can get a place or a home somewhere here in town where I am not able to cross to West Sang'alo, my Ward, I would gladly board. Everybody on the road is saying that these people are the ones who are "eating" our money. I want to concur with what the Hon. Leader of Majority said.

Hon. Leader of Majority, we do not have sympathizers here. This is something that is protecting my future, the future of members and our coming back in the next elections. Let us do the necessary. I do not want to repeat. I wished to say what the Chair, Education has said, I do not want to repeat and waste time for other Honourable members.

Mr. Speaker: Thank you Hon. Nganga. Hon. Chikati?

Hon. Timothy Chikati: Thank you Hon. Speaker. I do not want to repeat what my colleagues have said because I concur with them more than 100 per cent; but I just wish to highlight only one point. The two CECMs and Chief Officers sitting before us were nominated to their positions. The 45 MCAs seated here fought to be where we are and talking of the IFMIS, I am always in this House. I have never seen public participation going on from the ward level to the County level; nor seen us as elected being called to say that we are changing from the cheque system to the IFMIS system.

I say this because issuing the bursary with the cheque system gives us elected members political mileage on the ground; but if the money is taken direct to the bank even without the knowledge of these members, where are we going to land? As Hon. Nganga said, the voters on the ground do not know about what is going on. They say that Honourable Members have swindled our money, while we only have one person who is misleading the whole County and I agree that actually we have to clean up the Department of Finance.

Mr. Speaker: Thank you, Hon. Chikati. Hon. Violet?

Hon. Violet Makhanu: Thank you Hon. Speaker. I just had a concern. This goes to the CECM, Education. In his response after telling the House about the Chief Officer who went to Korea, there is this inspection and clearance of desks and chairs from Korea. The activity is on-going; what about this? Are these chairs coming to be distributed to our respective wards or they are coming to be used in your respective offices or what about it?

Lastly, most of the Principals have declined the photocopies of cheques; most of the parents are coming back with them and bringing them to us and so we are being blamed that they were used to getting the cheques. Now the issue of getting money to bank directly has affected most of the schools and most of the children are at home.

Lastly, in Mihuu, all the students that were on scholarship are at home and in fact a few of them have been taken to day schools; so what happens?

Mr. Speaker: Thank you Hon. Violet. Hon. Kirong?

Hon. Joan Kirong: Thank you, Mr. Speaker. I am getting a headache!

(Laughter)

Mr. Speaker: I wish you quick recovery first.

Hon. Joan Kirong: I have taken a lot of water; almost six bottles here.

Mr. Speaker: I will add you more from my side. Proceed!

Hon. Joan Kirong: Mr. Speaker, if you can allow me to scream and just sit down.

Mr. Speaker: You are not allowed to scream here. It is not parliamentarily

(Laughter)

Unless you want me to send you out!

Hon. Joan Kirong: Thank you Mr. Speaker. I wonder with these two departments, they do not have sympathy with the child of Bungoma. I am the most affected MCA because I went an extra mile and added my CEF allocation of Kshs2,000,000 to the bursary and from the statements that

I heard from CECM, Finance it seems this money is not there; and so I am asking myself where I am going to bury my head? Where am I going to migrate to? So, I will also request that they get me a House in town because...

Mr. Speaker: Hon Kiron'g, decline the offer for Hon. Ali Machani.

(Laughter)

Hon. Joan Kirong: Thank you Mr. Speaker. I think the CECM, Finance will tell me where I will hide because I committed myself, prepared this list and I assured the parents of these students that they are going to get money and I even requested the Principals of some schools to just give these kids a chance or sustain them in school since I knew the money was coming; after having had consultations with the CECM, Finance. Where we are heading is not good as it has been said by my colleagues. That we are the topic of discussion outside there; they are saying that we are not doing oversight; that we are sharing a bed with the Executive and if they will not release this Ksh45,000,000, my Kshs2,000,000 plus Kshs80,000,000, we will not survive.

If we will not act or “wash” ourselves, we are going to be washed. I heard the CECM, Finance talk about exchequer requisition and he is a technical person who he is supposed to advise. I think the CECM, Education has that schedule that they were using to make the requisition and maybe if he can read it for us to know the days that they were making those requisitions. They submitted, but I heard the CECM, Finance talking about late requisition. I wish to urge this House that if we are going to make a decision, please, do not use this statement to make money. If you do it, you will be cursed.

(Applause)

And even after finishing that money you will die.

(Applause)

(Laughter)

Mr. Speaker: Hon. Cornelius proceed!

Hon. Cornelius Makhanu: Thank you Hon. Speaker.

Mr. Speaker: After him, I will have Hon. Hentry; Hon. Vitalis you have to wait first. Proceed, but avoid repetitions.

Hon. Cornelius Makhanu: I have just two issues to the CECM, Education. One, I would like the CECM, Education to tell this House the beneficiaries of scholarships, the total amount that each beneficiary is entitled to per year for national, extra County and other schools.

Two, is the CECM aware that in his Department we have cartels that normally sneak in the list other beneficiaries other than the vetted ones that we have given. In my ward, I was allocated 12 slots for form ones, but lucky enough I came across the same list with two extra names sneaked in and I am sure, maybe in other wards there are other names which were never vetted. I was left wondering. The CECM should tell this House how those other beneficiaries were sneaked in; where does that money to pay for them come from?

Mr. Speaker: Thank you Hon. Cornelius! Hon. Hentry!

Hon. Hentry Nyongesa: Thank you, Mr. Speaker. I wish to take this opportunity first to thank you because I was the first person to key in for contribution towards this serious...

Mr. Speaker: I spared the best time for you with no pressure. Proceed!

Hon. Hentry Nyongesa: Thank you Mr. Speaker. I want to just have one or two things. One, when the disbursement of the money that has been talked about and especially the Kshs1,000,000, the people who worked and came out with the beneficiaries are the committees on the ground; the seven member Committee that was formed under this bursary and scholarship Committee.

The report that we got that before even the money reached the bank was that the administration fee had already been spent and you can ask questions. Somebody working on the bursary list was doing donkey work from morning to evening and bringing here a list, then the Executive moves away with Kshs17, 000,000 from every ward. Out of that Kshs1, 000,000 in the name of administration, the Committee gets Kshs13, 000,000 and so you start wondering; who laboured much when coming up with that list. The CECM must be clear on that.

When the CECM was telling us about the signatories to this account, the names given here one was Makokha which I know is Director, Revenue in the Department of Finance; another one is called Julius in the Department of Education and another one is Selina. As much as I know, we have Finance officers in those departments especially Education. I wonder who this Selina is that was tasked to handle the bursary and Julius from the Department of Education.

The CECM must be clear; what position do they hold in the department and as members are putting across, these are some of the officers that are dragging this program behind. I remember when we said that the money is going to be handled at the ward level, I happened to go to the Department and I was told, *Mheshimiwa* we are going to write cheques at the ward level. Now, kindly assist me have my two children on that list. This signifies that we have a lot of corruption in that office where one member is saying that some other beneficiaries were added who are not even from his ward because that is what I got.

Arising from that, I wish to beg that the mood of the House is being seen under Standing Order 177 (5) (2). When you look at it, it is very clear that to get a solution for the misuse and misappropriation of the VTC monies, somebody must go!

(Applause)

To find out why there were delays in the disbursements of the bursary and scholarships, somebody must go...

Mr. Speaker: Honourable... now that you are...

Hon. Hentry Nyongesa: Standing Order 77(2)...

Mr. Speaker: Come again!

Hon. Hentry Nyongesa: Mr. Speaker, I am referring to Standing Order No. 77 (5) (5) starting from (a) (b) and (c). I am reading the following and I continue; that we have to find somebody to surcharge for the misuse of this money...

Mr. Speaker: That one is a wrong order that you are quoting. You out of order! Are you seeing a Governor before us here?

Hon. Hentry Nyongesa: Mr. Speaker, I am reading about Standing Order No. 77.

Mr. Speaker: But I am saying it' is a wrong order. Look at the one from the County Governments' Act. You are out of order! Hon. Meshack Museveni? You are quoting a wrong one and it is on Hansard. Hon. Meshack, proceed.

You are misleading the House.

Hon. Meshack Simiyu: Asante Mheshimiwa kwa kunipa nafasi pia. Langu kwanza ningependa nishukuru wenzangu kwa kukaa hadi wakati huu ili tutengeneze kazi yetu kwa Bunge.

Pili ninae mwanafunzi kutoka shule ya Kamusinga na nafikiri Mheshimiwa Spika nilikueleza kuwa huyo mtoto ambaye babake anafahamika kama Chemtai alikuwa anasoma shule ya vijana ya Kamusinga Boys' na wakati amefukuzwa; ameenda kwa shule iitwayo Mirembe Day Secondary School na yeye ndiye alikuwa nambari ya pili katika hicho kidato cha tatu.

Nataka niambie waziri wa elimu na msaidizi wake ya kwamba; kwa sababu hata saa hizi vile nilivyoketi, mtakuwa na hali ya kuandika *cheque* (hundi) na kuenda Kamusinga. Lazima turudie nyuma na kuangalia iwapo huyu mtoto ako Kamusinga au la ndipo tupeleke hundi.

Kwa kumalizia, ningependa kwa sababu wenzangu wameongea na kwa vile wameongea na vile mmeona Kenya inavyoendelea; hatuwezi kusema kwamba ni mtu mmoja pekee. Tuko na

wengine waliokula ile elfu mia nane na wao pia wabebe msalaba ndio twende na hiyo laini mpaka turekebishe kaunti ya Bungoma.

(Applause)

Mr. Speaker: Hon. Ali Machani...

Hon. Johnston Ipara: Point of information Hon. Speaker!

Mr. Speaker: What is the information all about?

Hon. Johnston Ipara (On a point of information): Thank you Mr. Speaker. Just a few minutes you were about to mislead the Honourable House.

Mr. Speaker: I did not. Let me correct you! There is no motion before us for impeachment or grounds for impeachment; so when you talk of number 77(5), tell us the motion first! We are debating something else here. Bring it then I will allow you to talk about it. That is my position.

Hon. Johnston Ipara: Your position is respected. Hon. Nyongesa was making a reference to a Standing Order that is alive and he was saying where someone has done wrong, Standing Order No. 77(1) (a) should apply. He was referring to the relevant order that this Honourable House should apply to deal with...

Mr. Speaker: He was very specific; he talked about order No. 77(5) which talks of a motion under subsection (1). Which motion, of impeachment? There is none before us here. Proceed, Hon. Ali Machani!

Hon. Ali Machani: Thank you Hon. Speaker for allowing members to ventilate. I wish to give my observation touching on the members seated before us. The CECM, Finance has managed to be in this County almost three times, twice serving in two governments as a Chief Officer and now he is serving as a CECM; then the CECM Education served in the first Government for Lusaka who is our Governor and now he is serving as a CECM. The Chief Officer, Finance was in the first Government when we started devolution where he served as a Chief Officer, Lands. So they are people who have some serious experience and from where I sit, some of them are conversant with issues touching on Finance.

We are going round and round, we may crucify some of these members, but we are also not mentioning or pointing fingers where it deserves.

Every week we have a cabinet meeting at the national level; at the county level we have a meeting of the CEC members where the County Secretary is the secretary of that Cabinet and the Chair to that meeting is the Governor. We can go round and say so many things, give so many vocabularies from the dictionary; but from where I sit, the CEO of this County might not be having the passion of scholarship or bursary and I want to agree with the leader. I have only

waited to see him put it in writing somewhere then I endorse my signature because we have gone through some challenges because people can go round, champion their interest and ideas, but when we reach a time where we have to punish one, people will run away.

I wish to say this, that once we recovered the Kshs35, 000,000, did that money go back to where it belonged. When we allocated money through the budget approval in this House, we appropriated money for scholarships. When this regime came in, they purported to have recovered money that was taken to school erroneously and Kshs35, 000,000 that is on record; it was even highlighted on the media. We are also branded that we approve things here illegally. From where I sit, the CECM could tell us where the money that was recovered was directed to. It was supposed to be handled as a sector.

Two, you have done a lot in this County in terms of moderating this House; but from where I sit, it is only that with this issue of bursary and scholarship which is under the same regulation, it has no Executive good will. I remember one day Hon. Nyongesa who is very honest said that you can set aside money, but if the CEO has no blessings on that idea, it will not go anywhere.

I remember sometimes he talks and we take it lightly, but we might be crucifying this individual seated with us, but what is the take of the CEO? Today as we are talking, he is not in this country. Does it mean that he has no clear information on how this bursary and scholarship is being handled? Who always gives proposals of diverting money from sector A to B. From where I sit I may be the last person to comment on the functions of the two sectors because there is someone seated behind; he is not very clear on how he wants this County to go on with the issue of bursary and scholarship.

I am aware that the CEC members will always get instructions like the time they got instructions for requesting for funds from the budget to take care of Madaraka Day. Who gave those instructions? It means there is someone seated somewhere moderating. It is like electricity; you may rush to the bedroom, kitchen or toilet, but if you do not know where the main switch is, and then you press, then it means that you are just disturbing other areas. We want the Governor of this County to come out clear on where he wants this County to move in terms of Education, bursary and scholarship. How I wish when the CECMs, Finance and Education were coming, they could be very brief minus going into so many English words; that the Kshs1, 000,000 for each ward has been requested for and until 29th; money is going to be there.

The money for scholarship is going to be paid and how are they going to correct money that was recovered? There are children who are at home, but from where I sit, when those children transferred from those schools to day schools, they may end up directing money to those institutions minus our knowledge as elected leaders because(*Inaudible*)

Mr. Speaker: Members, I said that let us just wind up!

Hon. Ali Machani: Yes, I am winding up.

Mr. Speaker: Let me hear what the Deputy Speaker wants to say.

Hon. Stephen Wamalwa (On a Point of Information): Thank you Hon. Speaker. In as much as our senior member is speaking, but I wish to say this; the holder of the office is the one who is charged with the responsibility of directing the resources

At no one point did the Governor of this County give such issues.

(Loud Consultation)

I read here from Article 226 (5) and it is very clear! It is the holder of the office and not Governor.

(Applause)

Mr. Speaker: It is okay. Hon. Makari what is the issue?

Hon. George Makari: Mr. Speaker, my good friend His Worship the Mayor Hon. Balala wants to dilute the mood of the House; he should find the Governor in his...he is a neighbour with the Governor *kule Mapera*.

Mr. Speaker: Hon. Makari, which language is that!

Hon. George Makari: He can find time and talk with the Governor; but for now, we are directed here.

Mr. Speaker: Hon. Ali Machani; as you are doing the response, kindly, whoever is answering queries is the one we were able to invite; the CECMS and the Chief Officers before us, kindly speak about the same.

Shortly Hon. Hentry, I am giving you that time you sought for so that you do the necessary under Order No. 33. Sorry, let me give you the mic!

Hon. Ali Machani: Thank you Hon. Speaker. The only problem is that the members are running away from the truth, but the truth is here.

(Loud consultation)

Mr. Speaker: Honourable Members, some of you have spoken, I have given you time...

Hon. Ali Machani: Hon. Speaker, what I am aware of is that we are the same people who vetted the members seated with us and what we are looking for is to get the information from them; but away from here, they are going to be called by the CEO of this County to give information. What are they going to give? Are they going to say money is coming because that is what I want to hear? We can raise a lot of alarm but majority of these members when they go out, they are going to...

(Loud consultation)

Mr. Speaker: Order Honourable Members. Hon. Vitalis!

Hon. Vitalis Wangila: Thank you, Mr. Speaker.

Mr. Speaker: Be brief so that I allow Hon Hentry to...

Hon. Vitalis Wangila: I am always brief.

At long last you have given me this chance and the reason is that you want to bless me this evening to be cleansed...

Mr. Speaker: I am not going to bless you in any given way, we have pastors here! Go for blessings.

Hon. Vitalis Wangila: From where I sit, I see you are aging; but I am too young to be an MCA for two terms; I need another term and nobody can cause problems in my ward to make me not see the third term. While the CECM, Education was answering questions here, he mentioned some wards that submitted their lists late. I wish to tell them that as the MCA for Kabula Ward and together with my Ward Admin we were second to submit; and after you took oath here, you stated that we made a late submission, but that is not true. Go and find out; my name is Vitalis Wangila of Kabula Ward and I am always amongst the top ten in everything.

(Laughter)

Mr. Speaker: Hon Hentry... wind up, please, Hon Vitalis.

Hon Vitalis Wangila: We came up very clearly on the issue of IFMIS that when they have tried and failed, we come back to the cheque issue as we are used to doing and I wish to say that sometimes these cheques are taken to schools without our knowledge; neither the student's nor parent's. Some bursars and principals are very cheeky; they hardly tell students that these funds have been sorted.

Mr. Speaker: Hon. Hentry, you will now have the chance to do what you had planned to.

Hon. Hentry Nyongesa: Thank you Mr. Speaker. As I said earlier, the weight of the matter on the floor of the House this evening and looking at the watch; under Standing Order No. 33 (1) and (2), Looking at 3 (a) I wish to seek an extension of this sitting until this matter is exhausted because of its weight and which the public is looking at; that we ought to come with a binding solution for our children who are at school. I move and request that Hon. Chemion seconds.

Hon. Francis Chemion: Thank you, Hon. Speaker. Based on the Standing Order quoted by Hon. Nyongesa, I second the motion that because of time, we may need to extend because of the matter that is before us today.

Mr. Speaker: Thank you, Hon. Chemion. Honourable Members the subject matter beforehand that comes under Standing Order No. 64; the one you raised without giving a notice in writing. Equally, looking at what has been moved by Hon Hentry; 33 (4) has been complied with. It is half an hour before the time that we are supposed to rise. I will frame a motion for you to debate.

(Motion on extension of sitting time proposed)

Do I say thank you for your contributions?

(Laughter)

Hon. Members, I will now put a question to the said motion.

(Question put and agreed to)

The ayes have it. The sittings are opened until 11:00 p.m. or until the matter before us is determined.

We proceed with Hon. Chemion making his last contribution before we come back to the CECM and Chief Officer.

Hon. Francis Chemion: Hon. Speaker, I stand to speak on behalf of the students of Kaptama Ward. I was elected on 9th of August, 2022 and the good people of Kaptama gave me three roles: One of the roles is representation, oversight and legislation. As an elected Member of this Honourable House, we did our part; we did legislation by adopting the Appropriation Bill that had been brought here. In the Appropriation Bill, there was money meant for scholarships and bursaries and in the wisdom of this Honourable House and the Executive, out of all the monies that had been appropriated, Kshs180Million was there for bursaries at Kshs4Million per ward. As we speak here today, what has been received in our wards and we may wish to confirm whether it is true that the money has reached those schools; what we know is that they say that they have released Kshs3Million which is bound for confirmation.

This morning I was called by my Ward Admin and he was telling me that some of the schools had not received any funds. Going by Kshs3Million and the balance of Kshs1Million; normally when we budget, scholarships and bursaries are supposed to be recurrent. Remember when we moved the budget; we moved it from the development vote head to the recurrent vote head. I am now wondering whether we will recover this money that we have not received in our various wards... the Kshs45Million for bursaries.

I also wonder whether it would be humanly possible to recover the Kshs80 Million and yet one of the key issues... you know an educated society is very critical for development. If Bungoma does not educate her children, then we will be left behind! If Bungoma does not give priority to education of the people from poor backgrounds, in the near future we will have issues. You remember what Nelson Mandela said; that if you want to kill a society, deny it education! We are

denying the poor children of Bungoma Education by dilly dallying from June to June. This was a very critical area that would have been sorted early enough.

The Constitution and county Governments' Act is also very clear; that any embezzlement of funds, any misuse and misappropriation of funds should be dealt with according to the law. Anybody whose hands touched the funds that belonged to the students, monies that belonged to the Ward Bursary Committees, monies supposed to go to young people; I am very sure their hands will get burned...you know what happens when you touch fire, your fingers get burned. We are here and in our homes right now is not easy for us to be at home. We receive these students in our homes as early as 5:00 a.m. alongside their parents; coming to inquire from us when we are paying the scholarships and bursaries.

Finally, because other members had delved on this matter and as we speak, even if we say we will receive the money, then there just be due diligence; because those students were studying and have been chased away while some have transferred to local day schools and are even there without paying a single amount. CECM, Education, even if the money is found today, we must again go back to the drawing board because most of the students are not in those prestigious secondary schools.

You know it has already affected the morale of those learners. If they will not be talked to, if they will not be mentored; the performance of these bright learners of Bungoma will go down drastically and we will lose a resource that we would not have lost if this area had been given priority. Finally, the issue of VTCs; we agreed here and said if I have one VTC in my ward or two students in VTCs the way Hon. Jeremiah said, it was the prerogative of the Ward Bursary Committee to see how much from the Kshs4Million they were going to cede for the VTCs and that is what we agreed on. Now that the Kshs1Million did not come, this means that VTCs went minus any amounts from our bursary because we wanted to give them something from the balance you remember Members.

So they have gone without, that is our core mandate and we are supposed to ensure that VTCs are functional, our learners are getting skills and so far our VTCs have gone minus any monies that were supposed to come from our Ward Bursary Kitty. All in all, I support what the mover of the motion has brought before us and I support the sentiments of Honourable Members; that as we have responded here today, we are assured that by end of today or tomorrow, we have the monies disbursed to those schools; failure to do that will result to something else.

Mr. Speaker: Members now allow me go back to the responses from the CECMs. I start with the CECM Education - Benedict Emachar

CECM, Education: Thank you, Hon. Speaker. In my response, the first Honourable Member had asked about Kshs972, 000 funds in respect of clearance of goods from Korea. My answer is that that amount is still there; the clearing process is ongoing and we have requested for original

shipping documents from the importer which we are yet to receive. He also talked about the value of the seats and chairs; we may not exactly ascertain until we receive those particular documents. The process is ongoing, the goods we understand have docked in Mombasa and once we receive the documents, we will dispatch a team to go and verify what is in those containers.

Mr. Speaker: CEC Member, you know you are worsening things; you want to pay Kshs500 plus for clearance and suppose the chairs are worth Kshs50, 000?

CECM, Education: Thank you Hon. Speaker. We will not pay any amount until we verify what kind of goods are in those containers.

Regarding the banking of cheques, I got to know when I was posted to the Department of Education that the procedure was that all cheques should be banked direct to the account so that they are first cleared. I was meant to understand that in the past, cheques went stale. I would still seek your guidance as Honourable Members on what kind of system that we should use to handle these cheques. We will not stick to tradition; your guidance is most welcome.

As for beneficiaries of the scholarship programme, I may need to find more information on the exact amount of each allocation for each of the students; and so I won't be able to give a guess right now.

An Honourable Member talked about how names are sneaked into lists; of course at the moment lists are derived from the wards after the committees have put them together and the Honourable Member has concurred that they bring them in hard and soft copies. Yes, I will not discount and say that there may be nothing happening, but, we are now in the process of getting an ICT expert to reconcile what was submitted initially and to reconcile with what has been paid to respective students.

Regarding the three per cent administrative fees already spent that I had mentioned earlier, allow me to go and dig and find out how it was spent exactly. I will give an appropriate response at an appropriate time.

Regarding the staff that are handling the bursary cheques, two of them are accountants and one is a clerical officer. These are the signatories to those bursary cheques, but we are still looking into the staff matter and will do the necessary reorganization so that we get competent staff to handle cheques.

Of course, may I make an apology to the Honourable Member, I don't from what Ward; where I stated that he submitted his bursary information late and I obtained that information from my staff. If it is not true I apologize.

Thank you Mr. Speaker; I have prosecuted the matter.

Mr. Speaker: Let us have the CECM - Finance and Economic Planning respond. If there is anything that we may require from the Chief Officer, Finance, we shall allow him if need be.

CECM, Finance: Thank you so much Speaker. I think the critical matter at hand is whether Kshs45M, Kshs80M, Kshs3.6M should be availed for disbursement. I think from the information, I had indicated that the exchequer for June had not been given but as we are talking, we have received a schedule that we might be receiving in the course of this week or early next week. Therefore because of the priority areas that I have put an emphasis across and the need from across the ward, then it means that from that exchequer we will have to prioritize the payment of Kshs45M and Kshs80M so that we handle in terms of carrying forward in the first supplementary.

Because of the urgency of payment, I think we will use the current Vote after uploading, which may happen in the next two weeks; already we are doing the uploading, next week is the procurement plan and thereafter we shall be ready for transaction. Hon Speaker, the assurance is that that will be the first processing, that is the Kshs45M and Kshs80M and the Kshs3.6M the way Honourable Members are feeling like the IFMIS way is disadvantaging everything and it is like it is creating a situation where we also have to make a proper resolution also from the Honourable Member that following the resolution of the Senate, the application of it may not work. But because of the situation that is happening, then we have to still pursue on that arrangement.

Mr. Speaker: Yes, Honourable Leader of Majority?

Hon Joseph Nyongesa (Leader of Majority): Thank you Speaker. The question was very simple and straightforward because I heard the CECM say that so far as a county we have not received the June exchequer. The question was, do we have the money or not?

CECM, Finance: Mr. Speaker, as we are talking, you know they always post a list to show that we are expecting, but it has not credited the account. So in the next two days, it is supposed to reflect on our account once we have received that schedule. Once the funds land in our account, the budget is properly uploaded and then we prioritize.

Hon Jack Wambulwa: Thank you Hon. Speaker. I wish the CECM to come out clearly on this; for which financial year are we expecting? Two, you told us here that the Education Department dilly dallied in submitting and failed and so you never processed anything. How come again you are assuring us of having these funds. If we are going to affect this financial year; it is like paying a pending bill that was not planned for! Are we planning rightly or we are not planning?

CECM, Finance: Hon. Speaker, I indicated that the May disbursement came on 25th June, 2024 and the requisition that was on the platform was Kshs90M which was credited into the account on the 5th of July when the system process of closure was already on and we had done a refund statement. That is the reason we are saying that because of the priority statements, it can only be

considered a priority from the new budget; but we cannot use the old because we have already closed the year.

(Loud consultations)

Mr. Speaker: Let me first hear from Hon. Nangulu.

Hon. Charles Nangulu: Thank you, Hon. Speaker. Back to my question which the CECM-Finance has not answered; now that we have Kshs17M on the account, how come the money is being processed and yet there is nil balance on the account?

You have said they could not pay because there was no money on the account.

(Applause)

Mr. Speaker: Yes, CECM?

CECM, Finance: Thank you, Mr. Speaker. I want to be clear. Any requisition that we do is Education Support Scheme. We don't request for scholarship or bursary, we request as a Fund (the Education Support Scheme) and anytime you request, you must provide a fund statement. Where you find money is on the account like what we have explained, we have un-cleared cheques that should support money that is available on account against these cheques; because you must provide returns for you to give a requisition.

Hon. George Makari: Thank you, Hon Speaker...

(Laughter)

(Loud Consultations)

Mr. Speaker: Hon. George, avoid your neighbor Hon. Tony....

Hon. George Makari: I am trying to avoid him.

Mr. Speaker: Yes, I will tell you where you will be sitting.

Hon George Makari: I wish to ask the CECM; as the Leader of Majority has said, confirm we lost Kshs80M and Kshs45M. That is all and even this session will end... only that; and Kshs2M from Hon Joan Kirong'

Hon. Tony Barasa: Hon Speaker, *Waziri* is saying they have gotten a schedule for the June exchequer and are ready to receive the money. My question is; if this money for June is coming, we know that June was in the last financial year; are we going to work on the last financial year funds or what are you saying?

Hon Anthony Lusenaka: Thank you Hon. Speaker. Our CECM said that the financial year was closed and I want to know what Hon. Tony is saying; the money we are waiting for is for which year; 2023/24 or 2024/25? Just confirm that.

Mr. Speaker: I will allow Hon Milliah Masungu to add before we proceed.

Hon Milliah Masungu: Hon Speaker, I wish to inquire from the CECM. He clearly told us that all these monies for bursaries are all coming as a recurrent and normally recurrent has never been rolled over. Is he telling us that we are going to get funds for which financial year? This is recurrent Hon Speaker!

Hon. Job Mukoyandali: Hon. Speaker on the same. If at all what the CECM is telling us is going to affect the FY2024/25, are we not going again to create another problem for this county? Lastly, there is a question that I had directed to the CECM for Education and I beseech this Honourable House to allow me repeat. The CECM- Education said that there is some Kshs900 pus which is not allocated. The grant for VTCs; I had requested him to tell us how he had planned to use that money and on what!

Hon. Hentry Nyongesa: Hon. Speaker as we are speaking today, the arrears to schools is running back to three financial years. For example, we have students at Kibabii University whom I have witnessed myself who have a balance of...I mean, students in form four, with a balance of Kshs20,000 which means the arrears are for two financial years. We want an assurance that because this was a commitment from the government, that it is going to be cleared.

Two, Hon. Joan did some arithmetic and got Kshs 47M. A number of us; including myself, Hon. Chemion and others went to the office of the CECM, Finance in company of the CECM, Education and there were monies on account and we were told it was borrowed to take care of some activities. So it was just to be refunded to the Department so that it is used to pay for students. That issue has not been addressed to date. I don't know if it is still alive.

Hon. Joan Kirong': Thank you, Mr. Speaker. I wish to ask the CECM, Education the meaning of scholarship? We have students with huge balances of up to Kshs97, 000, Kshs120, 000 and they are promising these schools that they are going to get scholarships. I would like to know the meaning of scholarships because we are not paying these fees.

The CECM, Finance, there is this we call Senate circular. Sometimes we want to be seeing this circular, because, I don't know if MPs are working under the same Controller of Budget? Because you will see that MPs are issuing Cheques, but for us here, we will be told about the Controller of Budget.

(Loud consultations)

Mr. Speaker: Order members! Proceed, Hon. Kirong'

Hon. Joan Kirong’: Mr. Speaker, I think that they may answer.

Mr. Speaker: Deputy Speaker, Okasida will be the one closing that part, and then we may allow for responses, please.

Hon. Stephen Wamalwa: Thank you Hon. Speaker. I don’t have much to say. But, maybe a very wild question or I am thinking aloud. That when we are paying fees, do we classify it as development or recurrent?

(Loud consultations)

It is recurrent? So fees payment is not part of development of this County. So, you know, I am...

Mr. Speaker: Honourable Members, he is asking and we have people to answer. Now, when you become the ones answering, why can't you join them here so that you assist them to answer? Deputy Speaker, wind up your question, please.

Hon. Stephen Wamalwa: ...because Hon. Speaker, one, in my wild thinking, I feel like if fees, which is scholarship and bursary, was a Development Fund, then it cannot get lost. When we are empowering these children, are we not developing this County? That is my wild thinking, so I need answers, please.

Mr. Speaker: Hon. Okasida, you wind up that piece so that we do something else.

Hon. Johnston Ipara: Hon. Speaker, you have witnessed the confusion that is in our in our departments. Just a few minutes ago, the respected CECM, Finance, told us that we have already lost that money immediately, the financial year closed. Today, we have known who is misleading the Governor of Bungoma County. Hon. Speaker, Socrates, the philosopher said this, *'Wisdom involves recognizing owns ignorance'* and today, we want to believe that we have recognized a lot of the ignorance that is exhibited by the people that we gave positions to hold. Lastly, Plato, the student of Socrates believed that those with true knowledge and understanding should guide others.

Today, here, the people, Hon. Speaker, that have guided us do not have knowledge, they have no respect to us the Members, and have no respect to the people of Bungoma County. And they deserve to be shown the door.

Mr. Speaker: Let me allow the CECMs to respond. There was one, let us have for Education, of over 900 by Hon Job Mukoyandali, and then I have the CECM, Finance, please

CECM, Education: Thank you Hon. Speaker. I am sorry if I did not explain quite well. The amount of Kshs972, 000 was set aside for purposes of clearing goods from Korea in respect of chairs and desks. The process is ongoing, but we are not going to spend that amount until we have a verification team go to Mombasa to ascertain what kind these goods are. So, the goods are

relating to VTC institutions. Also, a member talked about scholarship. Scholarship fees are paid to a person who is attending continuous education and allocation of the total amount or entire amount is done by this Honorable House. That is how much we allocate the Scholarship Fund.

Mr. Speaker: CECM, Finance?

CECM, Finance: Thank you very much Speaker. First, I wish to correct that I have not made any statement to show that we have lost any money over scholarship because we are on HANSARD. I wish to confirm that scholarship, that is Education Support Scheme, is under development. As we are carrying forward, it was a development vote because we are still arguing with the Controller of Budget where is it supposed to be placed because of definition. But from the 2023/2024 budget, it was a development vote.

So, the money I had indicated we have not received is the exchequer for June, which we have received after we closed the year. That is the message I was indicating. So, in terms of losing the amount, it is not there because it will still roll out as it was placed under development; and we had already given it a priority. It is only the timing of closing; due to end-year procedures. That is why there was a problem of when to pay. So the position is that the new financial year 2024/2025 is not under the development vote. There was an advisory; it is going to be a recurrent vote and that is the position as at now. Then the issue about what was the budget year. It is the budget year for 2023/2024.

Mr. Speaker: So, members, I think let us leave it at that level.

(Loud consultations)

Hon. Benjamin Otsiula: Thank you Hon. Speaker. The question was very clear. The CECM said he is going to give priority to bursary and scholarship and then he will realign in the first supplementary. Now, the question is this; if this money is for the last financial year, why are we going again to realign and touch the money meant for this financial year. Let him tell us. My question was clear. Is the Kshs45 million and Kshs80 million for the 2023/2024 financial year there or not there?

Mr. Speaker: CECM, explain that on the vote head that rolls over.

CECM, Finance: Thank you, Mr. Speaker. I think Members perform oversight and they are fully aware that when the year closes, we do what we call a refund statement. In the new financial year 2024/2025, we will now upload the new budget.

The exchequer amount that we are having belongs to 2023/2024; which means it is in the CRF account. When we are doing the first supplementary is when now we can carry forward to the new budget. That is the explanation I was indicating. Therefore, the question was how do we

apply for scholarship before supplementary; how will we release the money? We have to release it using the current line. That is the explanation I was indicating.

Mr. Speaker: So let us leave it at that level. Leader of Majority...

Hon. Joseph Nyongesa: Thank you Speaker. You know we are getting mixed up. *Waziri* has said he has received some indications that actually within a week, we may be receiving the exchequer meant for June. Does it need the first supplementary or we can use this one. The indicator that you have received... so, if you can assure us, if we are going to receive the exchequer meant for June, can we not pay personal scholarship or should we wait for the first supplementary?

CECM, Finance: Mr. Speaker, I was indicating that because the June exchequer has come when the year has closed. It means that the budget we shall upload will have the current lines for scholarship and bursary, which we shall use to disburse. But when we come to the first supplementary, we will be carrying forward this amount to add on the line that we have used for replacement. That is what I was indicating. It is the same thing, Speaker, even when we were paying salaries...

(Loud consultations)

Mr. Speaker: Members, let us have order, please.

CECM, Finance: Speaker, we did not receive exchequer for June salaries but we paid the salary. That means with the new budget, we have to refund that by applying the first supplementary. That is what we are indicating. The same thing will apply to scholarship and bursary.

Mr. Speaker: Members, I think let us leave it at that. Let us release the CECMs. We will only release the CECM, Education and the Chief Officer. CECM, Finance has one more question from Hon. Johnson Ipara. Members, the day is still very young. So, let us release CECM for Education and Chief Officer. We still have the one for Okasida. You know, they must call it out before you make an application. You can't make an application before.

Hon. Meshack Simiyu: Spika, mimi sijaelewa; kabla waziri wa Elimu atoke. Wajua, *leader* (kiongozi) amesema tu vizuri na sasa hapo mahali kingereza kilinipita na ninataka niende kama nimejazwa. Hii pesa yenye inakuja kuanzia *next week* (juma lijalo), naenda kupata hio pesa ya *bursary* na *scholarship* (udhamini wa elimu) au la? Halafu nikimaliza hapa, sitaki kesho au wiki lijalo nikienda kwa waziri wa *Education* (elimu) ya kwamba ninataka hela ya Mukuyuni *Ward* ananiambie kuwa hazipo! Ningependa wanjibu niskie kwa sababu hio ndiyo nililetwa hapa na watu wa Mukuyuni. Kama sijaelewa niulize Spika waniambie nielewe.

Mr. Speaker: Yes, let us have the CECM to answer first. Yes Hon. Nganga.

Hon. Everton Nganga: Thank you Mr. Speaker. From the CECM, Finance's explanation; for this Honourable House to understand, I would like him to use two terms here. The basis of accounting where we have cash accounting and accrual accounting... cash accounting is where if the financial year has ended and we have not committed the funds, then that money is completely lost. Accrual accounting is where an entity or the County Government has to be seen as a going concern the monies that were not committed they will roll over. They will move to the next financial year; whereas the balances that were left out unspent will be carried forward to the new financial year. So, on the issue of scholarship and bursary which accounting basics applies, then we shall understand.

Mr. Speaker: Yes, CECM?

CECM, Finance: Thank you, very much, Speaker. From his point of view, accrual accounting is starting on the 1st of July this year. That means that any committed funds from the previous year must be carried forward. So, the application, henceforth, is accrual accounting. That is why we are indicating the lines will no longer be cash-based, that it cuts off. It will be crossing over as it moves from 2024 to 2025. So, what we were applying is that by the time we do the first supplementary, we will use the current line which has a relationship with the scholarship and bursary to disburse funds. Then, when we do the first supplementary, we carry forward that balance to replace with what we have disbursed. That is what I was indicating.

Mr. Speaker: Yes, hon. Charles.

Hon. Charles Nangulu: Thank you Hon. Speaker. I think as we sit here, the more we are getting confused. CECM, Finance, are you really talking about the money for scholarship and bursary or any other monies that were on IB.

Mr. Speaker: Kindly Waziri proceed.

CECM, Finance: Mr. Speaker, as I indicated, as we are moving to accrual, any commitments that we had in the previous year must be carried forward. That is what it means. We have to apply starting 1st of July this year.

Mr. Speaker: Yes, Hon. Tony.

Hon. Tony Barasa: Sasa waziri kwa lugha nyepesi ya kiswahili unasema hii pesa ya *scholarship* (udhamini wa elimu) unaenda kulipa katika muda wa juma moja; ili Mheshimiwa Museveni akienda nyumbani ajue kwamba stakabadhi ambazo umezipata kutoka katika Benki Kuu ya Kenya ya kuonyesha kwamba kuna dalili pesa ya *june* (mwezi wa sita) inakuja. Kwa hivyo unatufahamisha kuwa pesa hii unaenda kuzilipa ili wakati tunafanya makadirio ya pesa ya mwaka huu, utakuwa umelipa pesa ya *scholarship* na *bursary*.

CECM, Finance: Speaker, allow me respond in English. What we are saying is that we are committing after uploading the itemized budget and the procurement plan. It must be uploaded; the procurement plan shall be uploaded next week. Once that is done, then we are ready to disburse because the money will be available.

Mr. Speaker: I think let us leave it at that. Thank you very much, CECM for Education and Vocational Training; equally, our Chief Officer, Mr. Sam Nalwa. We will release you. Then the rest, I think, we still have some more business to go.

(CECM, Education and Vocational Training together with the Chief Officer leave the debating chambers)

So, can we have the Clerk reading the next item?

4. RESPONSE FROM THE CEC MEMBER FOR FINANCE AND ECONOMIC PLANNING

Mr. Speaker: Yes, Hon. Ipara.

Hon. Johnstone Ipara: Thank you Hon. Speaker, for the opportunity. I am looking at the Members and they are looking at me with gloomy eyes. I do not know what is happening. Maybe, Hon. Speaker you can give guidance.

Mr. Speaker: I cannot give guidance. I am always only moved. I do not have any guidance to give. You move me appropriately.

Hon. Johnstone Ipara: Hon. Speaker, before I proceed, let me make the following remarks. This is a weighty issue that touches on the collection of revenue in our County and in the recent time, there has been a drastic drop in the collection. The Honorable Members require time where they can deliberate on this matter.

Mr. Speaker: Under which Standing Order is that line of submission, because you must move me appropriately...

Hon. Johnstone Ipara: Let me check

Mr. Speaker: That is the language of the former member who used to say... I don't want to believe in that one now. It changed.

Hon. Johnstone Ipara: Hon. Speaker, I wish to draw your attention to Standing Order No. 34(1),

Mr. Speaker: Which Standing Order?

Hon. Johnstone Ipara: 34 (1)

Mr. Speaker: Yes.

Hon. Johnstone Ipara: A Member may at any time for reasons stated seek leave to move that this House do now adjourn. Hon. Speaker, I have said the sensitivity of this question is a serious one, and that is why I plead....

Mr. Speaker; Hon. Ipara, you are the prosecutor of the matter beforehand and you cannot be the one moving that application. To assist you, they have been asking you every day; you must move me under Standing Order No. 64. That one, you cannot succeed. Not even you. The matter beforehand belongs to you. You cannot be the one prosecuting it.

Hon. Johnston Ipara: Thank you Hon. Speaker. Hon. Nyongesa.....

Mr. Speaker: Let me give you the microphone first.

Hon. Hentry Nyongesa: Mr. Speaker, I rise on Standing Order No. 64.

(Loud consultations)

Mr. Speaker: Members, if you wish to assist him, you go join him and assist him all together. Proceed.

Hon. Hentry Nyongesa: I move under Standing Order No. 64(b), that the motion for the adjournment of the House, or even of the debate; that Mr. Speaker we move that we adjourn the House. Basing on that, we are going to talk about serious issues which are raised in the statement by Hon. Ipara. The sugar level of most of the members has gone too low, including.....

Mr. Speaker; Are you a doctor to confirm that?

Hon. Hentry Nyongesa: I am sympathizing with the CECM, Finance because....

Mr. Speaker: Don't be the one sympathizing with him, Proceed and prosecute your matter.

Hon. Hentry Nyongesa: Mr. Speaker, I request Hon. Tony to second the motion of adjournment.

Mr. Speaker: Hon. Tony, I am told that you have been....

Hon. Tony Barasa: Hon. Speaker...

Mr. Speaker: Now that there are serious issues, you ought to be proceeding. Proceed, Hon. Tony.

Hon. Tony Barasa: Thank you Hon. Speaker. I wish to support the motion. You know it is a heavy matter. Initially, we had media people here and as you see they have left; and we need to prosecute this matter when the Gallery is full and media people are there. So, Hon. Speaker, I wish to agree with the mover of the motion that we adjourn this motion so that we come when we are fresh for us to deliberate on the matter.

Mr. Speaker: Honourable Members, a motion has been moved and seconded under Standing Order No. 64 (b), that this House adjourns the debate with the motion beforehand; to the next sitting of the House, I propose.

(Motion on adjournment proposed)

Hon. Leader of Majority I see you are online.

(Laughter)

Hon. Joseph Nyongesa: Thank you Mr. Speaker. I rise to oppose. This is the right time to articulate serious issues. We adjourn the debate so that at least we can go up to 11:00 p.m. I have psyche to continue to work on this issue; because serious issues are tackled at night. So Members, this is the right time to for us tackle these issues. I ask Hon. Milliah to second me.

Mr. Speaker: Hon. Milliah, you have the honour to contribute.

Hon. Milliah Masungu: Thank you Hon. Speaker. I rise not to second the sentiments of the Hon. Leader of Majority and support the mover of the motion that we adjourn this House; because we have actually labored and we feel like we need to have fresh minds on the matters that are coming. So we actually pray that we adjourn, go home, and maybe give it another day...

Mr. Speaker: Are you adding flesh on this, or you are only adjourning this motion. Let me hear Hon. Caleb.

Hon. Caleb Wanjala: Thank you Mr. Speaker.

Mr. Speaker: Hon. Hentry, you prepare to reply on this motion after him.

Hon. Caleb Wanjala: Mr. Speaker, the matter at hand is a very serious matter that I remember we extended time and you pronounced that we have time up to 11:00 p.m. I wish to support the Leader of Majority that we extend and make sure that we finish these matters once and for all. As we speak here, outside there, things are not good. We have been labeled names; people don't have trust in us anymore. The name of Honourable Members is no longer good in the community because of the issue of the bursaries. Now that we have time, Honourable Members, I beseech you, let us become serious and handle these matters once and for all if we love this County.

Mr. Speaker: Hon. Ali Machani, then Hon. Hentry you reply.

Hon. Ali Machani: Thank you Hon. Speaker. I am on my feet to oppose and support the proposal from Hon. Joseph Juma Nyongesa of Tuuti /Marakaru. That it is important for us when we have requested for more time to pursue the matter to the latter.

If we cannot have time because we are not doing this for publicity; I have heard one of the members saying how we wanted the media to be in this House. We are not here to entertain the

fourth estate. We are here to represent our people and pursue this matter so that when the CECMs are going home, they go home knowing that this is the position of the County.

When we are doing this, also, the Honourable Members seated here. They will be having a long weekend starting from tomorrow. Honourable Members, tomorrow we don't have a sitting of the Assembly up to Tuesday. Now, why is it that we can't spend even two hours discussing this thing then we clear off? We leave this House when we are set.

(Applause)

Mr. Speaker: Hon. Deputy Speaker.

Hon. Stephen Wamalwa: Hon. Speaker, we are forgetting one thing, Members; we are going for recess and it means that this issue will be dealt with or will be forgotten. So, we choose on handling something and we have the CECM and the Chief Officer here.

Why can't we use this time? If we can be organized enough, we can give the CECM time so that he can give us what is required of him and we become orderly so that if we have to interject or do something, we do it in a very orderly manner. That he also has some other issues to attend to. We are going for recess, remember! So, I oppose and urge that Members, let us be put so that we finish this issue at hand.

(Applause)

Mr. Speaker: Hon. Hentry, you reply.

Hon. Hentry Nyongesa: Thank you Hon. Speaker, I wish to agree with and thank the Members who have contributed to motion on adjournment. We are not doing this at anybody's mercy, but we are doing it in our own interest. As I said, I am looking at...you see, age determines how long the sitting time can go. I wish to give an example because....

Mr. Speaker: Honourable Member, there is no example of a fellow Honourable MCA here you want to use. Proceed.

Hon. Hentry Nyongesa: Thank you Hon. Speaker.

Mr. Speaker: Those looking at Hon. Jacob Psero as an example are wrong! Proceed.

Hon. Hentry Nyongesa: Mr. Speaker, as the members have stated, we actually have had a very serious engagement on what is to be given to the community, which, the CECM, Finance has actually taken a lot of time to answer those questions. Going forward; what we are having at hand; where the statement was raised by Hon. Ipara, we are looking at it in the different perspectives. This is not a matter of urgency.

So, though it is on the Order Paper, I wish to plead that members, you support this motion of adjournment; such that we still meditate on what the mover has given. The sugar levels will also dictate. You see, when we are debating on this, you might find that members will not be that attentive and active the way they were during the first motion. Mr. Speaker, I plead.

(Applause)

Mr. Speaker: Thank you Hon, Hentry. Honourable Members, allow me now to proceed put a question on the motion beforehand.

(Question put and the House divided)

(Loud consultations)

Results of the division;

Ayes – 18

Nays - 13

(Question carried by 18 votes to 13)

Mr. Speaker; Honourable Members can you resume seats first?

Order Members!

The implication is this; can I make some communication?

Order! Hon. Jerusa!

Honourable Members, the implication is that basically the response that was given will be taken to the next sitting of the House; which is on Tuesday.

(Applause)

It does not mean you have adjourned this sitting... you all have adjourned item number eight.

(CECM, Finance and Economic Planning together with the Chief Officer leave the debating chambers)

You still have number nine to go, so can you call number nine as they leave out slowly?

MOTION

1. REPORT ON THE BUNGOMA COUNTY ANNUAL PERFORMANCE ASSESSMENT REPORT FOR THE FINANCING LOCALLY LED CLIMATE ACTION PROGRAMME

Mr. Speaker: Chair of the Committee, who is moving the report? The Chair is ready.

Hon. Martin Cheseto: Thank you Hon. Speaker.

Mr. Speaker; You know where from I sit? I am only moved. If you move me, I will go to the same direction again?

Hon. Martin Cheseto: Yes Hon. Speaker.

Mr. Speaker: Yes, Hon. Hentry is online. Just hold on first. Hon. Hentry, what is the issue?

Hon. Hentry Nyongesa: Mr. Speaker, I rise from the same Standing Order No. 64(b)...

Mr. Speaker: There is no problem. I have given permission. You are the one requesting; don't worry, Proceed.

Hon. Hentry Nyongesa: ...which requires the House to set aside the matter at hand for the next sitting as you have put it before; I wish to move the motion on adjournment under the Standing Order No. 64, that we adjourn the House and this matter be dealt with in the next sitting. I request the Hon. Tony to second.

Mr. Speaker: Hon. Tony.

Hon. Tony Barasa: Thank you Hon. Speaker. I am the master of seconding. The truth of the matter is that as Members of the County Assembly, going with the age and whatever, I wish to second that motion on adjournment so that we come and deliberate on issues when we are fresh.

Mr. Speaker: Hon. Tony, I think you need to come under...should it be (n)?

Hon. Tony Barasa: That is 64 (n) Hon. Speaker.

Mr. Speaker: It is (b)...

Hon. Tony Barasa: Yes.

Mr. Speaker: No it is (b); proceed...

Hon. Tony Barasa: Which he read.

Mr. Speaker: It is okay.

Hon. Tony Barasa: I wish to say that I support that motion on adjournment so that we come when we are fresh in the next session.

Mr. Speaker: The day is still very young.

(Motion on adjournment proposed)

(Question put and agreed to)

(Applause)

ADJOURNMENT

Honourable Members, the sittings of the House is adjourned to next week, Tuesday, 30th July, 2024. Thank you very much for being around for this very successful session. Let us meet next week accordingly.

The House rose at 7:33 p.m.