

# **COUNTY GOVERNMENT OF BUNGOMA**

## **COUNTY ASSEMBLY OF BUNGOMA**

### **COUNTY ASSEMBLY DEBATES**

#### **THE DAILY HANSARD**

**WEDNESDAY, 24<sup>TH</sup> JULY, 2024**

**Afternoon Sitting**

**COUNTY ASSEMBLY OF BUNGOMA**  
**THE HANSARD- OFFICIAL REPORT**  
**WEDNESDAY, 24<sup>TH</sup> 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 PUPILS FROM ST. MAGDALENE NAMAMUKA RC COMPREHENSIVE SCHOOL

Honourable Members, in our public gallery today, we have pupils from St. Magdalene Namamuka RC Comprehensive School. They are 102 in number and are accompanied by their teachers. Pupils can you be upstanding.

*(Pupils rise)*

They have been accompanied by teachers. Kindly when I call out your name, you be upstanding

1. Rodgers Manyasi - senior teacher
2. Margret Ambetha
3. Chrispinus Mukhata
4. Jael Amukasa
5. Phanice Kilwake
6. Sylvia Ochera
7. Celine florence
8. Lucy Khisa
9. Augustine Wafula - Class representative
10. Maurice Wakhuleka - parent

Kindly resume your sits

*(The teachers and pupils resume their seats)*

Honourable Members, just like other schools that pay a visit to this Assembly, they have come to learn how the County Assembly operates or runs its affairs including their core mandate. At an appropriate time, I will allow members to make brief remarks about them.

Take your seats Honourable Members.

*(Honorable Members proceed from the Bar to their respective sitting areas)*

## 2. INVITATION TO EMBALU FESTIVITIES

The County Assembly of Bungoma, the Chairperson of Embalu cultural Board, 2024 of the Bamasaba Community cordially invites the company of Honorable MCAs of the County Assembly of Bungoma to the Embalu Festival Ceremony, 2024 to be held on 3<sup>rd</sup> August, 2024 at Mutoto Cultural Heritage grounds in Mbale in Uganda. The Chief Guest will be the president of the republic of Uganda General Yoweri Kaguta Museveni.

You are all invited to go, attend and enjoy the activities; it has a caveat... at your own cost.

*(Laughter)*

From the outset, no Controller of Budget can approve facilitation for a delegation of 104 in this republic of Kenya,. As the host of the King of Bamasaba last month, I will be there in person as one of the Bamasaba from this region.

Let us proceed

**Hon. Meshack Museveni:** Mheshmiwa Spika, asante kwa yale umeyasema lakini unajua Bamasaba na Babukusu ingekuwa vyema; si ati tunajitakia sisi wote kwa heshima kuu kwa sababu hawawezi chukua wengi, ingekuwa vyema hata uchukue watu watatu kwa sabbabu kesho watawaita waheshmiwa tena mahali pengine wengine wataenda. Ningeomba kwa heshima kama ni kuchukua, wachukue watu wanne wakienda waangalie watakuja watuletee kile watakachoona.

**Mr. Speaker:** Those are views from Hon. Meshack Museveni so we will proceed as per our Order Paper.

## PAPERS

### 1. REPORT BY SECTORIAL COMMITTEE EDUCATION AND VOCATIONAL TRAINING

*(Paper laid by Hon. Benjamin Otsiula)*

**Mr. Speaker:** Honourable Members, kindly consult in low tones.

Honourable Members, the report by the sector Committee on Education and Vocational Training on the need for establishment of home craft centers in Bungoma County has been tabled by the Committee and the same becomes the property of the House.

### 1. REPORT BY THE COMMITTEE ON DELEGATED COUNTY LEGISLATION

*(Report tabled by Hon. Job Mukoyandali)*

**Mr. Speaker:** Honourable Members, the report by the Committee on Delegated County Legislation on the status of the four Acts passed by the County Assembly of Bungoma; the Bungoma County flag emblems and names protection Act, 2015, Property Hire and Leasing Act, 2017, Agricultural Produce Cess Act, 2017 and Transport Act of 2015 has been dully tabled by the Committee and the same becomes the property of the House accordingly.

## NOTICES OF MOTION

### 1. REPORT BY THE SECTOR COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING

**Hon. Benjamin Otsiula:** Thank you Hon. Speaker. I rise to issue a notice of motion that this House adopts a report by the sectoral committee on Education and Vocational Training on the need for establishment of home craft centers in Bungoma County.

**Mr. Speaker:** Honourable Members, the sector Committee has dully issued a notice of motion for the report on the need of establishment of home craft centers in Bungoma County; I urge the Clerks- at- the- Table to share the said report with Honourable Members. The same will come up as a motion on our Order Paper in the course of the week or once it is scheduled by HBC

### 2. NOTICE BY DELEGATED COUNTY LEGISLATION COMMITTEE

**Hon. Job Mukoyandali:** Thank you Hon. Speaker. I hereby issue a notice of motion that this House adopts the report by the Committee on Delegated County Legislation on the status of the four Acts passed by the County Assembly of Bungoma; the Bungoma County Flag Emblems and Names Protection Act, 2015, Property Hire and Leasing Act, 2017, Agricultural Produce Cess Act, 2017 And Transport Act of 2015.

**Mr. Speaker:** Honourable Members, a notice of motion has been dully issued by the Committee on Delegated County Legislation on the status of the four Acts earlier mentioned. The same will be shared on your gadgets by the Clerks- at- The- Table and it is going to come up on our Order Paper as a motion once scheduled by HBC.

## STATEMENTS

### 1. REMARKS ON THE VISITING DELEGATION

**Mr. Speaker:** Honourable Members, before we have the CECM for Tourism, Water, Environment and Natural Resources to respond to the statement sought here; allow me allow Honourable Members to make some brief remarks about the visitors in our public gallery who are pupils, teachers and parents. Hon. George Makari, you are the host MCA so you are the first one to go.

**Hon. George Makari:** Thank you Hon. Speaker. I am very privileged today to host a school from my ward called Namamuka Primary School. Don't ask me how they acquired the name Namamuka, but we all came and found it there. All the same, I wish to appreciate the teachers and students that are here today; it is a very good school with very nice pupils and very excellent teacher and of course they have walked with one parent Hon. Maurice Wakhuleka. Speaker if you remember very well, this House has a history of one Wakhuleka who was a Liaison Officer; so he is a brother to the Liaison Officer who served in the last government and is a parent at the school at the moment. This school borders Kabula Ward and in fact it is even near Hon. Vitalis'

home than mine; because I am here in town and Kabula is in the village down there where Hon. Vitalis comes from.

*(Laughter)*

**Mr. Speaker:** Hon. Makari, I said yesterday that basically we are 45 Wards and there is none in the village, Hon. Vitalis I am very sorry for you

**Hon. George Makari:** Obligated Honourable Speaker, we border Hon. Vitalis and we also border Hon. Mukhwana Zeddy we also border Hon. Cornelius Makhanu and I think that is the pint of connection with the three Wards.

This school started in 1983 with an ECDE classroom and standard one. At that time, the ECDE concept was not there, it was called nursery school. So it began with a nursery school. The land on which it sits was donated by a parent who later became the Head teacher for that school. To add on that, it was initiated by the local community leaders and supported by the Catholic Church and as we speak, the sponsor is still the Catholic Church. It is located along the Bungoma-Kakamega Highway; 1Km from the main road. It is in Namamuka Sub-location, Musikoma location and Kanduyi Constituency, whose current MP is Hon. Makali. It is a public school offering the CBC curriculum; covering ECDE to Grade eight. It has 13 physical class rooms and a population of 650 learners; 110 ECDE pupils and 120 JSS learners. The current Head teacher is Ruth Aswani and is deputized by Cyril Makatiani. That is all about the school.

I wish to welcome and encourage the learners to work hard because as you see, you have excellent teachers and we encourage you to try your best so that you come on top. Tomorrow you will be the leaders; when we were growing up, we were on the roads clapping for the late president Moi when he was passing with his motorcade and he could say you are the leaders of tomorrow. Some of us have grown to be leaders and the tomorrow of that time is today. We also hope that one time when we exit the scene, these are the leaders that will take over from. We implore you to be disciplined, respect your teachers... at school teachers are your parents and so be disciplined. Maybe just an analogy in any football; if the best player is indiscipline, even the coach might not help him because the influence of an undisciplined player might cause the team to lose. We implore you to be disciplined and respect your teachers.

This is a House of rules and procedure. One time I was the chairman of debating club. I don't know if this thing is still going on in schools, but I was the chairperson and we could mimic parliament or an Assembly like this one. We could nominate a speaker, we could put somebody in the seat of the Attorney General, we could even have Serjeant-at- Arms; but now here is real life. You can now see physically the Speaker is seated there, you can see members like Hon. Vitalis are currently seated and observing what I am presenting and so you are looking at things in real life. When you go back and have your debates, you can now make reference to what you have seen.

This golden item you are seeing there is called the mace. Without it, this House will not have authority to transact any Business. The Mace carries authority of the House, if it is not there, this House will not be properly constituted. Without wasting a lot of time, help me welcome this

esteemed school. Their parents overwhelmingly voted for me and I wish to appreciate them and welcome them and thank them for coming to this Assembly.

**Mr. Speaker:** Thank you Hon. Makari, let me allow Hon. Otsiula

**Hon. Benjamin Otsiula:** Thank you Mr. Speaker for giving me this opportunity to say a word on behalf of the Committee on Education and Vocational Training. First of all, I wish to appreciate my senior Hon. Makari for taking good care of the pupils and students from his Ward. I met them over lunch break, looked at their faces and I can confirm that the fertilizer and maize that was supplied by my brother is doing wonders in that Ward of Musikoma.

On matters education, I will not repeat what my colleague has said but I just want to remind our learners that this County Assembly among other things performs three very important roles; we do legislation and that means we are a law making body. We pass legislation which in turn trickles down to facilitate the running of the County Government of Bungoma.

We play the oversight role. I want the students to understand this very well; oversight does not necessarily mean politicians making noise in funerals. When we talk about oversight, it does not necessarily mean seeing politicians holding press conferences. Members in this House interrogate the procedures, actions taken by the County Government at the time of implementing the policies, at the time of implementing reports passed by this House and that is part of the oversight role. An example, you heard our Speaker today mention that a CECM might be coming to the House today and these Honourable Members will be given an opportunity to put questions to the CECM on matters affecting the County Government of Bungoma; as far as our lives back at home are concerned. That is part of the oversight role that this House plays.

The third role is representation. I want the students to understand very well that among these members, we have elected members who represent 45 Wards of Bungoma. They were elected on the 9<sup>th</sup> Day of August, 2022 and they represent the face and interests of the people who elected them to this House. We also have nominated members of this County Assembly; they represent interests of their respective political parties, some represent the interests of our youths but they have to come through a certain political entity.

Hon. Makari has talked about the mace, this House is run by the Speaker and the mace simplifies authority and he cannot conduct proceedings without that mace. He has talked about how members of this House are seated. Hon. Speaker, I am taking time because I have realized they are primary School students and they need to appreciate coming here. In fact today they will not need to watch television to see Members of Parliament. As I address this House, you are privileged to see me on the screens all over this House. The screens have been enabled by the HANSARD system. The system records all the proceedings taking place in this House for the benefit of members of the public and future generations who may wish to come and see what was happening in the Third County Assembly.

We have the majority side; the members on this side are led by the Leader of Majority who transacts government Business on behalf of government. He has a Deputy Leader of Majority next to him. On the extreme left, we have a seat reserved for the Deputy Speaker of the House.

When I cross to the other side we have the Leader of the Minority Party or Coalition; he is present and his name is Hon. Anthony Lusenaka; he also has a Deputy Minority Leader, he leads the opposition party and Business in the House. We have chief whips, the Majority Whip and Deputy Whip. Equally, we have the Minority Whip and the Deputy Minority Whip. I want when students go back home, they must appreciate their teachers for planning for this visit.

Finally, I want our teachers here to realize that they are in a noble profession. This House is full of teachers and therefore this House is full of information. The Deputy Speaker of this House is a long time serving teacher, Hon. Angeline Rugut is a lecturer, Hon. Allan Nyongesa head of youths is a teacher, prof...

*(Loud consultations)*

**Mr. Speaker:** Hon. Mutiambu the last time I checked on your record, I didn't see the CPA... I only know the two CPAs here; proceed.

**Hon. Benjamin Otsiula:** Thank you Speaker. Of course we have the Member of Kibingei Hon. Aggrey Mulongo, a seniour teacher for gumbaru and many others. I want to encourage teachers and wish them the very best as they prepare our students and candidates who are now sitting for their end of term exams.

**Mr. Speaker:** Hon. Vitalis, don't claim that these kids are from your Ward because I know you may start speaking in that line.

**Hon. Vitalis Wangila:** Mr. Speaker, Namamuka Primary School is a school I knew from my childhood and it happens that I schooled at Mwirutu Primary School which is the mother of Namamuka Primary School. As it has been said by Hon. Makari, this school is a Catholic sponsored School under Kabula Parish and so in most cases, there is a lot we share with Hon. Makari because we are neighbors. From what I know, three quarters of the parents from that particular region know me better than Hon. Makari, but that does not mean that they vote for me...that does not mean they are my voters; but that is where I hail from.

On the teachers in our gallery, one of the teachers is someone I knew from my childhood and was my role model. When I was a child, I used to aspire to be like *mwaliimu* Chris and so I am happy this particular evening to stand here as an Honourable Member of Kabula and seeing my teacher and friend in that gallery.

I appreciate the teachers and parents for bringing these students to this institution to learn more. One of the parents there apart from being known as Wakhuleka, is the point man of our Honourable Member here in that region and also a very close friend of mine in my Ward. During campaigns, in most cases, he blows the trumpet for me but he does not vote in my Ward. I am happy that today they have also realized that in this Assembly, I am a senior member to Hon. Makari because I am the Minority Whip while Hon. Makari is seated behind there.

*(Laughter)*

Allow me to end there and I welcome the visitors



**Hon. Everton Nganga:** Thank you Hon. Speaker for giving me a chance to make my submissions on the visitors in the gallery. First, I would like to thank the teachers for organizing the students to visit this Honourable House. When you look at the learning continuum, at the level of this school, you will discover that the mode of teaching is teacher centered. It means teachers give notes to students, define terms for students and everything; they do research to make sure that they get what is required to make sure that they meet the cognitive needs of these students. Teachers of primary schools and junior secondary schools do a lot to our students while at school.

Hon. Speaker, when Hon. Makari was campaigning in 2017; I would like to inform teachers from Namamuka, most of them come from Musikoma Ward. Hon. Makari is an MCA whose mother comes from my place at a place called Mwibale Primary School. During his primary level of education, he was learning at Mwibale primary and so those people who are saying that Hon. Makari is a kisii are wrong; he is a pure luhya...

**Mr. Speaker:** Honourable Member, relevance...proceed!

**Hon. Everton Nganga:** Thank you Hon. Speaker. Again, I would like to inform learners from Namamuka; I am an MCA from East Sang'alo Ward and most times I always pass near their school when I come to this Honourable House. In most cases, I always meet these students in the evening when they are from school and in the morning when they are heading to school. I encourage them that one time they will be leaders like Hon. Makari. I wish to tell them to put more efforts because today we are here and tomorrow it will be them. When you go back home, tell your parents that they did well to elect Hon. Makari who is the chairperson of Health Committee in this County Assembly.

**Hon. Jack Wambulwa:** Thank you Hon. Speaker. I take this opportunity to thank the leadership of Namamuka Primary School that planned and brought their students to the Assembly. Namamuka is my ancestral home and Wakhuleka seated there accompanying the students is my cousin. I am proud to be associated with this community. I would like to thank the teachers for having found it fit to bring their students to this Assembly. My colleagues have said a lot about this Assembly and I am very sure you have learned.

One good thing I am admiring is that Hon. Makari and Hon. Vitalis are both proud of the same school and that is the kind of relationship that we want to have. They are at peace and they are very supportive. All I want to urge colleagues is that let us support education as I urge our own daughters and sons to work hard so that at one time they become members of this County Assembly, National Assembly and even the president of this republic. When you work hard, it means that you are looking at your future, but when you are just there relaxed and not bothered, it means you have no interest in your future.

I wish to pray for those who are going to sit for exams and wish them success. I look forward to seeing you do better than what you are today. As I sum up, I wish to say that Namamuka Primary School is my ancestral home and so I will have time with them alongside Hon. Makari to show that I am part and parcel of that community



**Mr. Speaker:** Thank you, Hon. Ali Machani you close that bit of...Brief statements, please, so that we allow the sisters who are coming in shortly.

**Hon. Ali Machani:** Thank you for allowing me to join my colleagues in this House to make comments about Namumuka as a learning institution. First is to thank the Board of Management and the teachers for bringing our junior citizens to associate and familiarize with this institution. Hon. Speaker, there is one man in this House I wish to say is straightforward; Hon. George Makari. He is a leader that you can have trust in. As much as he is in Ford Kenya while I am in ODM, he is a leader who understands what to do at the right time. From where I sit, Hon. George Makari, this is a school you need to put more effort to assist it grow the way you are doing to your people. All of us here will always salute you because I understand when you took over that area; we did not have a serious road network. I am part of that area because I own a property next to Namamuka.

I wish to share with the teachers that all these children or the people sited in this House; they admire to be like some of us. Some of them admire to be like the Speaker, others admire to be like the Clerks- at- the- Table while others admire to be like Hon. Orize. Hon. Speaker, for some of us when we were in school, we admired to associate with such an environment which was not easy during our time and Hon. Nangulu can attest to this. Through devolution, we now can bring our learning citizens to this House to familiarize and associate with such environment. I wish to appreciate that this kind of life must continue and we must support our leaders to be more creative. It is important as leaders in our respective wards whether elected or nominated; that we assist them to visit the County Assembly to enable them answer some of the questions that might appear in their exams.

For that reason, I thank my brother Hon. Makari for defending his seat in this House which I know was not easy. I even pray that he makes it for a third time to this House; nobody should cheat you to go for the parliamentary seat. Remain in this environment for some time because many members wanted to elevate themselves to the National Assembly but they failed. A good number of them have shown interest but I don't want to mention names. I urge that you remain where you are; now that you are closer to your learning institution and the teachers. These are serious ambassadors to the parents. If you have anything in terms of appreciating, appreciate the teachers of Namamuka as a learning institution.

**Hon. Joan Kirong:** Asante Ndugu Spika. Ningependa kuwaeleza wanafunzi ya kwamba tunawakaribisha na kuwaeleza ya kwamba katika Bunge hili tunaongea lugha mbili; Kiswahili na Kingereza. Mheshimiwa Spika ningependa kuwaeleza hawa wanafunzi kwamba hapa tuko na waheshimiwa wa kike ambao hujitosa kwenye siasa. Mnaponiona hivi, nilisukumana na wanaume na nikapigiwa kura na hapa Bungeni; mimi ndiye Naibu wa Kiongozi wa walio wengi jinsi imeandikwa hapa mbele yangu.

*(Applause)*

Kwa hivyo nawasihi watoto wa kike ya kwamba mng'ang'ane na wenzenu wa kiume. Wasiwaachie nafasi kwamba wao ndio bora katika somo la hesabu na pengine chemia. Pia mtie bidii ili kuwa bora katika masomo hayo. Jinsi wanavyosema; maisha ni mapambano yasiyokuwa na mwisho. Nashukuru kwamba tukijotelea wote tutafaulu.

Nashukuru uteuzi wa Rais wetu wa tano kwamba wakati amefanya uteuzi tumeona kwamba watoto wa kike pia wako ndani. Mpambane na mtaweza kufika mahali mnataka.

Kwa walimu; langu lilikuwa kuwatakia kila heri kwa sababu iwapo hatungeongea katika Bunge hili mngeshangaa sana. Hivyo basi nawasihi wakirudi nyumbani wapeane salamu kwa wapiga kura wa Mheshimiwa Makari na iwapo itasimama tena mwaka wa 2027 wampigie tena kwa sababu ni mtu mzuri na Mwenyekiti wa Kamati ya Afya hapa Bungeni.

*(Applause)*

**Mr. Speaker:** Thank you Hon. Kirong. Honourable Members, allow me on behalf of all of you who have not had a chance to speak wish the pupils of St. Mary Magdalene and Namamuka RC Comprehensive School all their best in their studies and their teachers; while taking care of the children. Let them be disciplined and hard work is the motto for you people. We wish you all the best.

## 2. STATEMENT BY HON. JOHNSTON IPARA ON UNCLEAR OPERATION OF COUNTY WATER RIG

**Mr. Speaker:** Honourable Members, we can't have that question read in the absence of the CECM. We will allow the CECM to come in first whether with the Chief Officer or not. Then he will read the statement afresh before we allow the concerned CECM to respond. Yes Hon. Ali Machani?

**Hon. Ali Machani:** Mr. Speaker, as we allow the CECM in the House, I wish to know where he will respond from because it is a practice that you are the only person supposed to sit where you are; besides the Senator and the Governor. The CECM cannot respond from where you are sited Hon. Speaker.

**Mr. Speaker:** They used to sit inside here and when we had officers from the Senate in this House; they advised that CECMs cannot sit in the House of Parliament where the MCAS are sited because they are not Honourable Members. That is why whenever we have visiting Senators they can only join me on these sides.

Honourable Members for guidance purposes in regards to Standing Order No. 55 on designation of a place and admittance of the County Executive Committee Members and others; the Speaker may designate a suitable place in the Chamber or at the bar of the House for the County Executive Committee Member responsible for Finance to make public statements and pronouncements of the budgetary highlights and revenue. They say CECM and another member.

**Hon. Ali Machani:** Hon. Speaker, you are a senior person in this county. The issue is may and not shall. It is your prerogative to admit a CECM in this House; but from where I sit, I feel you will be elevating the CECM to your level if you allow him to speak from where you have indicated. May be you can allow him respond from the lower part.

**Hon. Jack Wambulwa:** Thank you Hon. Speaker. My take is that let us follow our Standing Orders. Let us not change because we are being guided by the Senate. We know the chamber is small; the space might not be enough. We should proceed with our previous arrangements with the CECMs addressing us from down here and not coming next to you. Those are powers bestowed to you, the Governor and the Senator; but CECMs cannot sit next to you. Let the sitting be rearranged so that they can sit where they belong.

**Mr. Speaker:** Let me hear Hon. Makari.

**Hon. George Makari:** Thank you Hon. Speaker. I wish to ride on the wisdom of Hon. Ali Machani Mutoka, who is an esteemed former Mayor. Hon. Speaker, you have the prerogative and you have the powers to assign anyone where to sit in this House. From where we sit, we are not comfortable with the CECM addressing us from the front. It will mean that they are on the same level with you. They are not Hon. Speaker! If it was for the Senator of Bungoma County, or the Speaker of the National Assembly, or the Governor of Bungoma County; then those ones are allowed to sit with you Hon. Speaker.

**Mr. Speaker:** Members, I have heard your wisdom and your guidance. This is not cast in stone. We will go back to the earlier arrangement and have them address us from where they used to previously. You can now escort in the CECM.

*(CECM for the Department of Water, Natural Resources, Environment, Tourism and Climate Change, Dr. Andrew Wamalwa ushered into the debating chambers)*

Honourable Members, before us here we have our CECM for the Department of Water, Natural Resources, Environment, Tourism and Climate Change, Andrew Wamalwa. I now direct the statement to be read afresh before he responds. Hon. Ipara?

**Hon. Johnston Ipara:** Thank you Hon. Speaker. I had the following questions to the Department of Tourism, Water and Environment. I wanted the CECM to provide details of and clear operation of the County water rig to the following;

1. What was the cost of the water rig complete with the accessories that were sourced with it?
2. How many boreholes have been sunk across the County so far?  
-Name them with their respective wards.
3. During the financial year 2023/24, how much was set aside for the rig operations?
4. The rig being a technical machine; how many skilled operators operate the rig? Name them and the grade each of them holds.
5. During the financial year 2022/2023, how many boreholes were sunk in the six wards of Tongaren Sub-county?
6. The County Rig Policy that was enacted by the County Assembly had a clause on review.  
-Why has the policy not been reviewed despite many emerging issues and particularly on the effects of climate change?
7. What is the standard cost of upgrading a borehole?
8. When you conduct a quick cost analysis on sinking a borehole using our own rig compared to contracted services; which one is cost effective and why?

Hon. Speaker, I also wish to plead with you that when the CECM rises to respond to the questions, he should be allowed to respond from question one to question eight. Then I can be called upon to respond and the rest of the Honourable Members now can follow because the issues raised do not only affect Tongaren but the entire County.

**Mr. Speaker:** Honourable Members, allow me now permit our CECM for water to respond. You can respond from the dispatch.

**CECM, Water:** Thank you Speaker and Honourable Members. My name is Dr. Andrew Wamalwa, CECM for Water, Natural Resources, Environment, Tourism and Climate change. I wish to respond to the statement as follows:

Number one, the water drilling rig was procured in the financial year 2019/2020 at a total cost of Kshs77, 820,000 and it contained the following; the main drilling rig, the test pumping unit, support truck, borehole camera and geological survey tool. Together with it, the supplier was to drill 10 boreholes as test boreholes for that amount.

On question number two, the number of boreholes that have been sunk so far; I wish to report that so far we have sunk 48 boreholes from the year 2020/2021 and they span in various wards as captured in the report...

**Mr. Speaker:** Honourable Members, I think on your gadgets you have the report. Go through those boreholes in those respective wards so that it is on the HANSARD. Start with the one for 10, which were for test boreholes. Read them out because they will be on the HANSARD. The 10 test boreholes were done in Bukembe West; that is Namirembe Dispensary. They were done in Siboti at St. Peter's Secondary School. Honourable Members, whether it was in new stated areas or not, let us have them read out here because I know where Hon. Makari was heading to. Proceed.

**CECM Water:** They were done in Malakisi/ South Kulisiru at Tumio Chiefs Camp, Sitikho at Sitikho Secondary School. Misikhu at Brenda Girls Secondary School, Tongaren at Naitiri Girls Borehole, Kimilili at Bituyu Secondary School, Bokoli at Webuye West VTC, Sang'alo East at Mechimeru Dispensary and Elgon Ward at Masindet SDA borehole.

For question number three, Mr. Speaker...Number two, I have responded on the number of boreholes that have been done. So far there are 48 from the year 2021.

**Mr. Speaker:** Read them and the respective wards.

**CECM, Water:** For 2020/2021; we did Namwela Ward at Namutokholo Primary School, Lwandanyi Ward at Namwesi Primary, and South Bukusu Ward at Cardinal Otunga TTI; Ndal Ward at Tabani Secondary and Mbakalo Ward at Mbakalo Primary.

Bukembe East at Kongoni Dispensary, Maraka Ward at St. Paul's Maraka Secondary School. Maeni Ward at Namboani FYM, Luuya/Bwake at Luuya Dispensary and Matulo at Matulo RC Primary School.

In 2021/2022; Kimaeti Ward at Siloba Shine Primary School, Bumula at Bunambobi Primary School, South Bukusu at Nang'eni Primary School, Khasoko Ward at Munda Primary School, Kabula at Siera Primary School and Milima Ward at Mukunyene Dispensary.

**Mr. Speaker:** Order Members, let us allow the CECM to read and you will check later.

**CECM, Water:** Naitiri/Kabuyfwe at Lungai Dispensary...

**Mr. Speaker:** All the members let us allow the CECM to read. Some of these names are new to us, so pronunciation may be an issue. Proceed.

**CECM, Water:** Soysambu at Namunyiri Girls, Ndivisi Ward at Malomonye Primary School, Misikhu Ward at Bunjosi Primary School, Kibingei Ward at Khwiroro Primary School, Musikoma Ward at Namisi Primary School, West Sang'alo at Ranje Primary School, East

Sang'alo at Kimungui Primary School, Kaptama Ward at Kaborom Primary School, Elgon Ward at Kapkata Primary School, Kamukuywa Ward at Kamukuywa AC Primary School, Sitikho Ward at Milo Market Borehole, Bumula Ward at St. Raphael Primary School, Mukuyuni Ward at St. Walumoli Primary School and West Nalondo at Sawali Primary School.

In the year 2022/23, we did Township Ward at County Water Office Borehole, Lwandani Ward at Malakisi Dispensary Borehole, Kimaeti at Bukirimo Primary School, Bumula at Joy Valley Kimatuni Borehole, Township Ward at the Governor's Office, **Kimidere** Ward, **Kimidere** Dispensary Borehole and Township Ward at the Bungoma District hospital Borehole.

**On question number three; during the financial year 2023/2024, how much was set aside for the rig operations?**

I wish to report here Mr. Speaker that in that financial year, we set aside Kshs2, 250,000 for the borehole, for the fuel, and this was increased by Kshs2 million in the supplementary budget to Kshs4, 250,000. For borehole materials, it was allocated in the main budget Kshs8, 810,745 which was reduced by Kshs2 million in the supplementary to Kshs6, 810,745.

**Question number four; the rig being a technical machine, how many skilled operators operate it? Name them and the grade each of them holds.**

Mr. Speaker Sir, I answer that the rig has got the following technical staff;

1. Mr. Patrick Khamala, he is a mechanical engineer on permanent and pensionable terms.
2. Velma Kenyi, she is a geologist on permanent and pensionable terms.
3. Wekesa Joseph Wafula is a driver also on permanent and pensionable terms.
4. Maniafu Kletas Walela is a driver of the rig on permanent and pensionable terms.
5. Mr. Mbani Martin Shikuku is a water inspector on a three-year contract. He is a skilled operator.
6. Simiyu Caleb Khayaki is a driller on a three-year contract. He is also skilled personnel.

The non-skilled staffs are the following;

Maniasi Patrick Wafula is a mechanic on a three-year contract.

Daniel Tony supports staff on a three-year contract.

Kunikina David Simiyu support staff on a three-year contract.

Wanyama Douglas Simiyu support staff on a three-year contract.

Khaemba Silas Wanjala support staff on a three-year contract.

Simiyu Maureen Nekesa support staff on a three-year contract.

Watila Sammy Barasa support staff on a three-year contract; and

Wanyama Joanna Simiyu also a support staff on a three-year contract.

I also wish to give the authorized staff establishment for the rig unit. We require three geologists; we have one in-post therefore we have a deficit of two, we require two drillers, we have one and therefore we require one.

For Mechanical engineers we require two; we have one hence we require one more, Water inspector we require one and we are adequately staffed. For support staff we require seven and they are adequate.

**Question number five; during the financial year 2022/2023, how many boreholes were sunk in the six wards of Tongaren Sub-county?**

During this financial year, the Department did not sink any borehole using the County drilling rig. The reason being the rig broke down in the middle of the year and the detachment of the rig hammer that occurred twice on site does affect the operations of the rig.

**Question number six; the County Rig Policy that was enacted by the County Assembly had a clause on review. Why has the Policy not been reviewed despite many emerging issues and particularly effects on climate change?**

I wish to say that indeed the County Assembly approved for us the County Drilling Rig Policy which is in force and we are required to review it and also draft the County Drilling Rig Bill with regulations to ensure that it meets the objective for which it was purchased. However the Department has faced financial limitations which have delayed this process but we remain focused on that effect to ensure that we review that Policy and enact a Bill and regulations to ensure that this County drilling rig will meet the expectations of the people of Bungoma.

**What are the standard costs of upgrading a borehole?**

I wish to make assumptions here, Mr. Speaker; that when you upgrade a borehole, we are installing a solar pump, steel press tank or plastic tanks. Therefore, there are two scenarios. If you are going to install a steel press tank of 30,000 litres, it will cost us Kshs2, 500,000. Solar pumping system will cost us Kshs1, 200,000. If you pipe to distribute water to a two-kilometre radius it will cost us Kshs1, 500,000. Therefore, it will cost the County Kshs5, 200,000 to upgrade a borehole using a steel press tank of 30,000 litres.

If we do a plastic tank of 10,000 litres it will cost the county Kshs350, 000. For a pumping system that uses solar at Kshs1, 200,000; distribution line to two-kilometre radius will cost Kshs1, 500,000. Therefore, if we are doing a plastic tank of 10,000 litres, it is going to cost the County Kshs3, 050,000.



**When you conduct a quick cost analysis on sinking a borehole using our own rig compared to contracted services which one is cost effective and why?**

Mr. Speaker, I also wish to make assumptions that we do an average depth of 100 metre borehole which will consume 1000 litres to drill the 100 metre bore and therefore the following are the costs; I have considered that we already have a geologist on site and an expert to do Environmental Impact Assessment with a mark up 16 percent tax; we are going to spend Kshs1, 385,000 compared to what the contractor will spend which Kshs1, 840,000. We are considering the profit margin that the contractor will put as a markup for the works to be done. Therefore, if I look at the two scenarios; definitely it is cheaper to drill a bore hole using the County rig as compared to contracted services.

In conclusion, the cost-benefit-analysis underscores the financial prudence of utilizing the County drilling rig over contracted services and by leveraging on the tax benefits and eliminating profit margins the County can achieve substantial cost savings and therefore we will be able to address operational inefficiencies which will further enhance these benefits making the County water rig more viable and cost-effective option for borehole drilling.

Thank you Hon. Speaker, I submit.

**Mr. Speaker:** Thank you Mr. CECM. Kindly resume your seat. Hon. Ipara your statement as sought has been responded to. What do you make of the response?

**Hon. Johnston Ipara:** Thank you Hon. Speaker. First of all let me appreciate the CECM for finding time to come and respond to the issues that affect most of the wards across the County. I am happy that he has provided details under question one which were boreholes sunk for testing which are 10 and which were picked using the random selection method.

On question two, and for record purposes, the boreholes that were sunk according to this record are 38 in number which were done by the County Government under the Department of Water. 10 were done by the supplier to test the capability of the equipment. I think that is in agreement. I will do a quick cost analysis; the cost of the rig was Kshs77, 820,000 out which if we calculate the testing and the boreholes that were sunk the total cost is Kshs66, 480,000 bringing a variance of Kshs11, 340,000. The rig has been in use for last five years. I will leave this part for CPAs Hon. Nganga and Hon. Kennedy Wanyama.

**Mr. Speaker:** They are shaking heads; seemingly not on your side. You can proceed.

**Hon. Johnston Ipara:** Hon. Speaker, we must take the advantage of their profession.

On question three; according to the details reflected here; the supplementary moved the amount to Kshs4, 250,000 and Kshs6, 810, 745. The question is, how were the funds utilized? As he

comes to respond, he should indicate how the funds were utilized.

Mr. Speaker on question No. 4, he has provided the list of the skilled staff and majority of the staff they are using are on contract. If you compare the cost of maintaining those under contract; which is a big number, the best option is to employ on permanent and pensionable terms and they will be accountable to the County and we shall get value for money.

Allow me to skip question No. 5 because he said nothing was done. On question No. 6; details have been given. On the question on the standard cost of upgrading a borehole, he has responded that it is Kshs2, 500,000. Mr. Speaker, nowadays the market is open and you can even carry a quick market survey and be informed of the cost of what you want. The preset tank of 30,000 litres if you walked around you will establish that it will cost Kshs1, 500,000 an indication that we shall be losing Kshs1, 000,000 if done under this basis. If you can give to a supplier or contractor; bringing on board 19 percent which is 16 plus three the markup, you can't reach Kshs2.5 million. We must make sure that we adopt methods that give value to the people of Bungoma County. Currently money is a scarce resource.

Solar pumping system; the highest price for such system is between Kshs300, 000- Kshs800, 000 maximum inclusive of markup margin. Lastly, to do a distribution line of two kilometres whether using still pipes or high density pipes or PVC, the cost is Kshs160, 000 to a maximum of Kshs300, 000. If you added the two costs, the first column if I went to the lowest, I will spend Kshs1, 960,000 and if I went to the highest I will spend Kshs2.9 million. I wish to urge the CECM as they walk back, they should practice prudence in utilization of government money which is a scarce resource.

Hon. Speaker, let me talk about purchasing a plastic tank of 10,000 litres; on this you don't require science rocket to do this calculation. If you just walked down here to any of the shops, the cost of a 10,000 litres is Kshs80, 000 and if it increases it is Kshs120, 000... If you talk about solar, the cost of solar remains the same. It will not change. It will remain between 300 to a maximum of 800. If you talk about distribution, the cost of distribution remains the same. It does not change. And I did this systematically.

If you added 19 per cent, you will have a total cost of Kshs737, 000 inclusive of mark-up. If you add it in the second category, you will go to Kshs1.570 million. Then you can see we shall save a lot of money if we practice that.

Let me go to question number eight. When you conduct a quick cost analysis, I did that. He said that it is cheaper using our own rig. One thing I want you to consider is... let me draw your attention to question four. We have a total staff establishment of 14. The item that the CECM

submitted has intentionally omitted domestic traveling items where you pay workers who are away from the workstation.

If they went to Tongaren, they will not be at the working station. The working station will change to Tongaren Ward. So in this case, that is omitted. The intention of omitting is to beat the logic that using the County rig is cheaper. I wish to say that the cost of using the County rig and the contracted services are all equal.

Before I complete, let me do some corrections. Let me draw your attention to page two, item number six. Drilling of Naitiri Girls' borehole and it is said to be in Tongaren. I want that name Tongaren deleted and Mbakalu written there. On page two, you delete item number six because Naitiri Girls' borehole is under Mbakalu.

I wish to say this. I raised this so that we can see if the scarce resources that we get are prudently and equitably distributed across the county. And you have eyes, you have seen. It is you to make a decision. I submit.

**Mr. Speaker:** Thank you, Hon. Leader of Majority. You will be the one next. Proceed.

**Hon. Joseph Nyongesa:** Thank you Speaker. First, allow me also to appreciate the leadership of Namamuka Primary for taking their time at least to learn with us in this institution. Again allow me also to appreciate them for standing with Hon. Makari and Hon. Vitalis in their second term. I also wish to appreciate the initiator of this statement.

Actually it has opened a lot for us to see. You know, when I say so, Hon. Mukoyandali is smiling. Now, he sees the real deep state of those times. You know when we were saying others were suffering, people could not understand; and now you can see. That is why I humbly appreciate the owner of this statement.

I also wish to thank the Department for coming out clear on what happened during those days. When you see some wards, testing was done there, the second batch was there. Out of 48 boreholes, my ward never benefited because I was a hardliner. So, that is why this time around, I am trying to be somehow soft so that I can also be seen; so that my people can also benefit.

I appreciate the Department. Personally I do not agree because if the Department could be smart enough, I think they could have also further informed us that actually those drilled bore holes are working. But this one is too sketchy. This is what we call office-work. They never went to the ground but they used the papers they found in the office. So they have done for us is just sketchy and that is me saying.

If the Department could be serious enough, we could also see the photos of these boreholes for us to know, is it the reality or not? Otherwise now that the owner has accepted, whom am I to refuse? But for them to be smart, let them show us the photos and ensure that these boreholes are working.

*(Applause)*

**Mr. Speaker:** Thank you, Hon. Jack. I will have Kharaka after Jack.

**Hon. Jack Wambulwa:** Thank you, Hon. Speaker. May I thank the owner of the statement for having come up with this question that has brought us our CECM, Dr. Wamalwa to respond to the concerns raised by Hon. Ipara. Before I raise the concerns, one thing I want members to know is that some of us might have been beneficiaries. But when we were being drilled for water, it was creating more. That was the time.... it was good that you were there during that regime and you know what it meant.

Some of us here were not in the deep state. If they brought you a borehole, know that you are being targeted and they were coming to finish you. That is how the first borehole was done. But I wish to appreciate that the second one was done through the wisdom of His Excellency the Governor in Bukirimo School for the Disabled. When he was there, he found it fit to actually get them water so that they can harvest from a close range.

I am concerned with the contract. I need to know from the CECM; was due process followed when contracting these employees? If yes, then as we speak, an employee of the County Government must have an IPPD number.

Now that you have that three-year contract, how do you intend to implement the same? Number two, we are being told that this rig broke down. What was the guarantee by the supplier? Of course, it is hardly four years and it has broken down; is the same supplier able to get us parts so that it can start moving since we have even allocated funds in this year.

Now all you are telling us is that during the upcoming supplementary, we do away with the allocation towards the rig so that we can do boreholes direct from our own wards. Finally I am concerned about the number of employees. Really! One rig with 14 employees... Is it worth it as a? If you look at it; not that all the 14 are technical...

Is it that somebody is trying to bring in the relatives in the form of employees on contract to work on a single rig that can be handled by at most, four if they are to change the shifts. Why should we have 15? This is a waste of funds, especially now that we are having a scarcity of resources and the way the economy is.

I don't know CECM; what do you intend to do on that number of employees? I would request that as you respond on the same, please tell us about who are the people supposed to handle the rig. We just want the technical team with the driver. But all these other numbers you are reading for us, I don't know, engineer what, what, what. No, it doesn't help us at all.

**Mr. Speaker:** You are reading nothing Honourable....am hearing what, what

*(Laughter)*

**Hon. Jack Wambulwa:** All I am stressing is, if you look at the way this rig is operating compared to the private and even the quotations that were given to the CECM, I think we have wrong staff. You look at the pricing, like Hon. Ipara was raising, actually, I bought a tank of 10,000 litres plastic here on the street. It was Kshs120, 000 delivered on site. You are telling us a million? Then if we are to be doing this to run the county government, we expect it to be half the cost. So, why should it be more expensive than the private contractors? This is something that you need to address.

It is good that you came to the department the other day; but let them be genuine with their prices. The county government pricing should be much lower than what the private suppliers are giving. If they are giving higher than that, then what will be the use of us maintaining the rig? That means we would do away with it and use the private contractors.

**Mr. Speaker:** Hon. Linda Kharakha. You can use the dispatch because I am sure if you don't have the card, you haven't logged in any of those gadgets. Then, I will have Hon. Makari, Hon. Jeremiah, you will close that part and we allow the CECM to respond accordingly. Proceed. Sorry.

**Hon. Linda Kharakha:** Thank you, Mr. Speaker. I wish to applaud the person who brought the questions to the Department.

**Mr. Speaker:** He is known as Hon. Ipara.

**Hon. Linda Kharaka:** Hon. Ipara, thank you so much. You have opened up a very big paradox where we are able to know what is going on in the Department. Now, my question was basically on sinking of boreholes using our own rig. You realize that the CECM has said that using our own rig, we will use Kshs1, 385,000. Then, when we contract, we will be using Kshs1, 840,000. Now, the difference between contracted services and using our own rig, I find the margin being quite small.

It is not being effective. Referring to, for instance, Tongaren, you say that there was no borehole sunk because the rig broke down. Now if we had contracted services, for instance, I think if we had advertised all boreholes across the county, you realize that the contractor would be able to ensure that the boreholes have been sunk.

If there is an issue regarding breaking down, then the contractor will bear the cost and ensure that the services are delivered. To me, the CECM is not being frank to say that we can only use our own drill. I think cost-effectively, it is even way better to hire unless these costs of self-use are being exaggerated.

I would like to know the criteria used, or what the Department used to have all these boreholes sunk in different wards.

**Mr. Speaker:** If you are asking a fresh question, it will be very difficult. Hon. Makari, you proceed. I have seen Hon. Jerusa online. Members, I know these are supposed to have come from him. So, I will be locking it out so that we have the CECM. Please, proceed, Hon. Makari. Of course, we have a motion after.

**Hon. George Makari:** Hon. Speaker, thank you for giving me an opportunity to raise one or two issues. First of all, I wish to appreciate the owner of the statements, Hon. Ipara Okasida from Tongaren and tell him that we really appreciate, because through him; we are getting a response on the Floor of the House. Though the CECM, my good friend, Hon. Dr. Andrew Wamalwa, I want you to agree with me that this was the best CECM for Health. Unfortunately, he was taken to Water. But we pray for him that he should be able to perform in that department. But if I was given time to bless people; this man was the best CECM for Health

*(Applause)*

I know you know that. It doesn't mean that I am saying because it comes from my Ward. I have been able to interact with him and share ideas with him. You can see the passion and the astuteness in him and that passion in him about health. So even Namamuka School that is here; know that Dr. Andrew Wamalwa also comes from our Ward and is at the moment the CECM for Water. He was transferred from the Department of Health. Dr. Wamalwa, we have a school up there, it is called the Namamuka Primary and the teachers are here plus one parent. I think you will also welcome them at your own time.

Away from that, I don't want to question my voter with a lot of questions. I just want to ask him a very simple question. Now, *Waziri*, in five years we drilled 48 boreholes and amongst the 48, 10 of them were on offer. So this means the county drilled only 38 boreholes in five years; that is 60 months. In your own opinion, was that correct? Was that okay? Was that value for the money

that the Rig at 77 million that was bought by the County Government of Bungoma? Fortunately or unfortunately the Rig was used to settle political scores, and you have seen my friend, the Leader of minority is now not speaking because they drilled so many boreholes in his ward. You have not seen him contribute to this motion. Maybe when he will contribute, he will say it. But what I know is that it was used to settle political scores at that particular time, if you listened very well.

**Mr. Speaker:** Hon. Makari, I am told he has some information to share with you. Hon. Lusenaka, what is the information?

**Hon. Anthony Lusenaka** (*On a point of information*): Thank you, Hon. Speaker. From the list as read by the CECM for Water, the rig drilled only one borehole in my ward at Namirembe Dispensary. And that was the first borehole; it was just for testing. They never drilled any other borehole in my Ward. CECM can confirm.

So Hon. Makari should stop misleading this House. We have facts, we have documents here that show how many boreholes have been drilled by the rig and where exactly. Like for Hon. Jack Wambulwa, they drilled two boreholes in his Ward. So who is a deep state and who is not.

*(Laughter)*

**Mr. Speaker:** Hon. Makari, you have heard from the Leader of the Minority. Proceed.

**Hon. George Makari:** He is my friend Hon. Speaker. I was just doing it in chess. But even if the rig was for testing purposes, why couldn't they also test in Musikoma? If at all it was for testing purposes. In Township, they have said they drilled for you, but in Musikoma, if there were 10 boreholes for testing purposes, why didn't they also drill in Musikoma for testing purposes? Just for testing purposes? Now that is the inequality that we are talking about. And maybe, courtesy of Hon. Ipara Okasida when the CECM will come up to respond, maybe you can give us an account of the five years and the 38 boreholes. Because five years is 60 months; 38 boreholes is less than five years. So let us say that in one month, how many boreholes were you doing? Or in one year, how many were you doing so that they can equate to the 38 boreholes in five years.

**Mr. Speaker:** Thank you, Hon. Jeremiah?

**Hon. Jeremiah Kuloba:** Thank you, Mr. Speaker. Mine is just a straight one. You used Kshs77.8 something to purchase a rig.

**Mr. Speaker:** Give us the figures. There is nothing called something here.



**Hon. Jeremiah Kuloba:** Kshs77.82 million to purchase a rig which you did not allocate any amount of money to repair when there is a breakdown. Do you think there is value for our money? In all these areas, you must have done public participation before drilling in a borehole. Did you do that in township?

*(Laughter)*

*(Applause)*

It beats logic. I think the only place that I can maybe accept that there was some prudent reasoning is when they put one at the District Hospital. But take one, go and put it at the water offices then another one at the Governor's place...

**Mr. Speaker:** Yes, Hon. Jack.

**Hon. Jack Wambulwa** *(On a point of information):* Hon. Speaker, I wish to inform my colleague Hon. Kuloba that when we bought the rig, the interest was to take care of the areas that have no access to water. The township he is talking about has access to Nzowasco water. So why does he want to be drilling water within town when we have Nzowasco connected water within town:

*(Applause)*

**Mr. Speaker:** Yes, Hon. Kuloba.

**Hon. Jeremiah Kuloba:** Hon. Speaker, the Honorable Member speaking right now has rivers that are not drying.

*(Laughter)*

*(Applause)*

...Other than me who is in town and water is not pumped by Nzowasco.

**Mr. Speaker:** Above all, you are the landlord of this Assembly.

**Hon. Jeremiah Kuloba:** Of course, yes, Mr. Speaker. So, what criteria did you use to go and put a borehole at the Governor's office instead of putting one at a public place where many people can use that water? How many staff do you have at the water offices that forced you to go and drill a borehole at your office? But above all; the three boreholes are not working. Why did you not ask us to give you money from CEF so that we complete those projects?

**Mr. Speaker:** Hon. Jerusa Aleu. Then CECM will be responding and we will close it at that point. Although I saw Hon. Chemion, you will be given a chance to speak.

**Hon. Jerusa Aleu:** Thank you Mr. Speaker, for giving me this chance to also contribute on this issue that Hon. Ipara has raised. It affects to some of our wards especially. I am surprised to hear Milima Ward being mentioned. Yes, there was a borehole that was drilled there and there is no day that that borehole has served people in that area until I decided to allocate CEF money; is now when we have water in that dispensary of Mukuyuni.

I think the issue of saying that deep state and whatsoever; we are all here representing our people. We need just to use the correct way of serving every ward equally; by not saying that so and so belongs to the deep state and that is why he was being considered or she was being considered. I wonder because I can hear about other wards are being mentioned twice or even thrice; yet other wards have not benefited at all. Actually, if you look into that list, we Tongaren are quite disadvantaged. I think, *Waziri* you just need to look into that and consider all people equally because our people voted for us to come and represent them in this Honorable House.

**Mr. Speaker:** Hon. Chemion. Now, I have seen Hon. Charles, you are online; you wish to speak? Sorry...

**Hon. Francis Chemion:** Thank you, Hon. Speaker. I wish to laud the owner of the statement, Hon. Ipara, for bringing up this statement which was long overdue... I also wish to thank the CECM for coming over to respond. But I look at a borehole that was constructed in a place called Kaborom Primary School in Kaptama and the rig came; they did the drilling and they disappeared. They put some... was it a water pump? But nothing is there for the community and it has brought a lot of issues to that community because it is a very dry area.

That borehole was supposed to address water shortage in that school and the environs. But as we speak, I have visited the Chief Officer of Water severally, complaining on behalf of the people who put me in this office. But up to now, nothing has been done.

Secondly, our CECM, we also want to gauge these technical staff. We are talking of a geologist. If it is true that most of the boreholes have got no water, what role was the geologist performing in that team? Because his work is to ensure that wherever a borehole is drilled, there is enough water on the ground.

So, do we also question the credibility and the expertise of the technical staff; the geologist? We may want even to do away with them now that they are earning and they are not giving us good service. They are not identifying places where when we drill, we get plenty of water. So can the CECM confirm whether there is value for money? Secondly, whether the geologist is qualified

enough to conduct geological surveys? Thirdly, what is he going to do now to ensure that even those ones which have been drilled are functional before we even talk about others? Because why do we even go to drill others when of the 48, most of them are not functional.

**Mr. Speaker:** Thank you, Hon. Charles.

**Hon. Charles Nangulu:** Thank you, Hon. Speaker for giving me this time to also contribute. First and foremost let me applaud the owner of the statement for the good job that he has done. I also thank the CECM, Water, who has just come on time to answer these questions. I have been listening and trying to do my quick arithmetic. The CECM mentioned that they have one geologist and intends to employ three more to run this one machine.

When you do calculations of getting a private rig and having the County rig, definitely getting a rig contracted from outside is cheaper. This rig is categorized under machinery; what has the CECM done so that this machine can actually bring revenue to this county? Bring the Policy to this House so you can have the rig drilling boreholes out there.

For us, when you do projects in our wards, when you drill the boreholes, why can't we use our own and pay the Department and then collect revenue? So that is what maybe the CECM could also give us as his future plan. I have given him a hint of what he can do for this rig because in the next year or two, this rig will be obsolete. You cannot tell us that in five years, you are only doing 48 boreholes and you have a machine with 11 employees who are on permanent pensionable terms. They have allowances; they have a car that they run up and use each and every day.

So when you do calculations, indeed, we need a policy for us to have revenue on this machine; then we actually dispose of it and just use contracted from other contracts.

**Mr. Speaker:** Thank you, Hon. Kirong'. You have been requesting here. Then I will have Hon. Evelyn Anyango Proceed.

**Hon. Joan Kirong':** Thank you Mr. Speaker for allowing me to contribute on this statement that is before us. Allow me to thank the owner of the statement that has opened our eyes and we have seen the unethical things that were happening in the last regime. I am one of those who suffered in the last regime; because if you see the program, the borehole was sunk in Elgon Ward and Kibingei Ward and they left me in the middle.

So, I think the wards that the boreholes were sunk in are those words that the MCAs were clapping for the government of the day. I wish to urge the CECM that I have commented that you were the best CECM in the Health Department and I urge you that be the best CECM in

Water. Make sure that you see the face of this county and consider even some of us who are loyal to the government.

*(Laughter)*

**Mr. Speaker:** Hon. Kirong’

**Hon. Joan Kirong’:** I have rebuked what I did in the last regime, and that is why I suffered. So, what I am saying now, this time, I am loyal and I would like to work with the government; and it is allowed. You see what has happened in our government; that the ODM guys have decided to work with the government.

*(Laughter)*

**Mr. Speaker:** Hon. Kirong’ you have to get serious!

**Hon. Joan Kirong’:** Mr. Speaker, it is good to work with the government. That is what I am suggesting.

*(Laughter)*

But, I am right, Mr. Speaker, So...

**Mr. Speaker:** You are out of order. Proceed.

**Hon. Joan Kirong’:** So, Mr. Speaker that is what I am urging our CECM that please, consider us. Because I want to thank the people of Kapkateny’ that they saw such a misfit but they sent me back to this Assembly so that if the County or the Executive would consider me in the coming regime, I think they will send me somewhere.

**Mr. Speaker:** Hon. Anyango, we will share tomorrow. Let us proceed.

*(Laughter)*

**Hon. Everlyne Anyango:** Thank you Mr. Speaker for letting me also...

*(Loud consultations)*

**Mr. Speaker:** Let us proceed, Members, please. Let us proceed. Now that Hon. Ali Machani, you are at liberty to sit with the Hon. Leader of Majority and share stories, why are you so worried? Let us proceed.

**Hon. Everlyne Anyango:** Thank you Mr. Speaker Sir. May I first of all applaud the Hon. Ipara for having opened our eyes in this House? Hon. Speaker, I just rise to, with a lot of questions lingering in my mind, seek to understand how somebody sat down and decided to buy or to venture into buying a rig without considering its viability.

The CECM in his response said that when you are using the County rig, you can spend approximately Kshs1, 385,000. I am also learning that if you use a private rig, you go to Kshs1, 849,000. The difference is very small and for this one, this difference is only seen here on paper not considering the salaries of the workers. The workers are ballooned to 14 in number without even adding maintenance costs. So, as I stand on this Floor, it is high time that departments before entering into anything that will cost the taxpayer's money should look at the viability of the project.

It is high time that the Executive puts itself down think and resonate with the needs of the common *Mwanainchi* because I can see that Honourable Members are saying...

**Mr. Speaker:** Members, you know, I never like interjecting during debate. But what we are doing, you are debating a statement which ought to be questions raised, then answered or clarified; but where we are heading to? We have turned this statement into a motion. As you understand, I can't put a question to it.

**Hon. Everlyne Anyango:** Thank you Speaker for that correction. My concern is that the cost difference is not even there when we put into consideration that we have maintenance and the staff. I rest my case.

**Mr. Speaker:** That us what I am still saying. You are debating. If you are looking at this statement, members, ask for clarification on what ought to have been done specifically. Hon. Lusenaka you go, Ali Machani and then Nganga. I have the CECM, Finance waiting to be asked questions here as well. Let us proceed.

**Hon. Anthony Lusenaka:** Thank you Hon. Speaker. Mine is just a clarification and a short one. As we try to pin the CECM down, we should also ask ourselves; how much did we allocate to that Department for the rig.

Sometimes we may blame the CECM and yet we haven't allocated funds to that department. So, as we ask how many boreholes have been drilled, we should also ask how much did we allocate.

**Mr. Speaker:** Hon. Lusenaka, soon I will ask you to join him to answer questions because seemingly, you have become part of the Executive.

*(Laughter)*

Hon. Ali Machani, proceed!

**Hon. Ali Machani:** Hon. Speaker, you made this House to afford a smile on their face. I think I am convinced with the answering of questions but only that the CECM was not able to convince this House whether there is value for money for invested in that rig.

Can we say there is value for money or not because we invested Kshs77 million but the work done is not equivalent or is not convincing this House. Tomorrow if you come up with an idea and requested for more rigs, can you convince this House that we should put more money in your sector? What my colleague who is my leader has raised, I think he has been assisting you with ideas on what you should tell this House; but now away from that, we have about 48 boreholes drilled across the County.

You are also not able to tell us, the costing of each borehole, compared to what you mentioned about Maraka. In Maraka, they drilled water at St. Paul's Secondary School through a request from the school during the retirement of the senior chief; but they did not complete. They only drilled but the school and the Board of Management had to raise money to complete that borehole. So, such information should come out very clear; the costing and the amount that was spent; so that tomorrow when an Honourable Member requests for drilling, it should also be very clear. How much is it? The only thing you have said is boreholes, and again, you have not convinced us. Do you still need more money for drilling of water?

**Mr. Speaker:** Hon. Nganga, be brief.

**Hon. Everton Nganga:** Thank you very much Hon. Speaker. Briefly, I look at the cost price of the rig, the way our CECM mentioned an amount of Kshs77, 820,000. Now, to our CECM, one Honourable Member Jack Wambulwa mentioned that; he didn't put it clearly, he asked, what was the warrant period, not guarantee... warrant period for this machine?

Two, what is the useful life of this machine? When I ask such a question....

**Mr. Speaker:** Order, members, please!

**Hon. Everton Nganga:** When I raise such a question, I want our CECM to give hope to Honourable Members like Hon. Jerusa Aleu who has said that nothing has been done in her Ward. So, can you give us hope that this machine will continue working so that other wards that did not benefit can also benefit.

Last but not least, the expected salvage value, salvage value means the scrap value of the machine at the end of its useful life.

Lastly, just a piece of advice to the CECM, if this machine will be serviced to its normal condition, which means if it will start working, just my advice, those wards that are far away from the Koica water project, please, put them into consideration. Wards like Khasoko, Sitikho,

East San'galo, Maraka, Kabula. Those cannot access Koica; not like Tuuti Marakaru, they have Koica.

**Mr. Speaker:** Hon. Ipara, one minute, then the CECM comes in. Proceed!

**Hon. Johnston Ipara:** Thank you Hon. Speaker. I wish to thank the Honourable Members for taking their time and contributing to this very serious matter that affects our County.

Number one, the item that I did not mention under the item, quickly, on item number eight, I didn't give you the populations of fuel. It is indicated it is Kshs185, 000. I wish to state that to sink a borehole of 100 meters, you only require 12 hours, and for one hour, you require 15 litres and a maximum of 180 litres. If you multiply it with the current market price of Kshs197 per liter, the total cost of sinking a borehole of 100 meters is Kshs35, 460. So, the CECM should also address that.

**Mr. Speaker:** Now that you have been sitting here doing the computation, do you expect him, as he is sitting here, to compute and reply to you right away?

**Hon. Johnston Ipara:** Hon. Speaker, I was only working on his own figures.

**Mr. Speaker:** What I know, we have given you time and members have spoken as you have been calculating. Now you are asking him and expecting him to respond on the spot. He is not a magician as far as I know. Proceed!

**Hon. Johnston Ipara:** I agree Hon. Speaker. He is not a magician. Thank you for that guidance. I wish to say this; the Leader of Majority said that the owner of the statement has agreed. I wish to say I did not agree, and that is why I raised those discrepancies that were on the response from the CECM. Secondly, value for money was never gotten because we purchased the machine for Kshs77 million.

**Mr. Speaker:** Hon. Ipara, it is him to talk about value for money, not you. It is like you have become like Hon. Lusenaka; you want to join him and...

**Hon. Johnston Ipara:** Thank you for the guidance. Lastly, the idea was good. Wrongly applied and utilized. I submit.

**Mr. Speaker:** Thank you. Our CECM, you will have a platform to reply to those questions, but the one having arithmetic, I will ask you to leave them out, because you need a calculator. Some of them like CPA cannot work out without having a calculator; so, you can't expect a doctor to answer from where he is. Proceed, please!

**CECM, Water:** Thank you, Mr. Speaker. I will start from the first question where Hon.Ipara asked how the funds that were allocated in the year 2023/2024 were utilized and I wish to say that in that financial year, seven boreholes were sunk in seven wards. I wish to say here that I was in Cabinet at that time, and I remember my predecessor raising serious concerns of machine downtime and lack of enough funds for fuel to carry out the work plan for the Department. Therefore I want to believe that if the machine is well serviced and there is enough fuel, we can do a lot more compared to what was done at that time.



I want to agree with Mheshimiwa about employing the staff on contract compared to permanent pensionable terms. We want to ensure that our members of staff have favourable working conditions so that we have continuity and stability of the services that we are offering.

Two, about the market price, I wish to say that we will endeavour to do a market survey to ensure that what we procure actually gives value for money for the people of Bungoma.

From the Leader of Majority, about Tuuti Marakaru benefitting from the rig, it is true because the records can attest to that, and we endeavour to support all wards to have at least a borehole sunk; especially in the public spaces. There is a question from Hon. Jack Wambulwa about the contracted staff; if they were hired through the due process and if they have the personal numbers. I beg that I can avail this information at a later time because it was not part of the question that I was given from the beginning.

If we actually require 14 employees to operate the rig, I wish to say that we have a staff establishment for the rig, and that is the guidance that we are following; but still, this is subject to review to ensure that we have actual efficiency for the rig.

**Mr. Speaker:** Yes, Hon. Ali Machani; what is the issue?

**Hon. Ali Machani** (*On a point of order*): Is it in order, I know you do not have eyes, for a female Honourable Member going closer to another Honourable Member then hugging and kissing loudly. I can feel it from where I sit.

(Laughter)

**Mr. Speaker:** Hon. Ali Machani. Can you name the member and clarify?

**Hon. Ali Machani:** Hon. Speaker, thank you. You know we are human beings, and when we are sited here, we learn so many things. Yes, Hon. Florence has been very close to me here. She has just moved to where Hon. Linda Kharakha who is a lawyer by profession. Hugged her, closer, and kissed.

**Mr. Speaker:** Who was that, Hon. Florence?

**Hon. Ali Machani:** Hon. Florence!

**Mr. Speaker:** Did it offend you?

**Hon. Ali Machani:** Yes, from where I sit,

**Mr. Speaker.** Hon. George Makari, what is the issue?

**Hon. George Makari:** Hon.le Speaker, I wonder if my friend the good Mayor is concentrating on waziri or on Linda Kharakha. Can he inform this House where his point of concentration is? Is it on what the CECM responding to or otherwise?

**Mr. Speaker:** Hon. Ali Machani, you are supposed to be waiting for your feedback from this side. Honourable Members, I am guided that basically, under our Standing Order, behaviour in the House is very important. So, I think for today, since Hon. Florence, the way she is behaving, her body language has some truth. For today, let me ignore it. Let us proceed; but equally, Hon. Machani as you are doing so, concentrate where the response is supposed to come from.

**CECM, Water:** Thank you Mr. Speaker. There was a question about value for money; considering the county rig vis-à-vis contracted services. I wish to say that having analysed the costs, on a short run, the rig is cost-effective but in the long run, it is better to go for contracted services. Having put in mind other costs like human source costs, maintenance and replacing worn-out parts; and even the national government has opted to go for contracted vehicles rather than those that are owned by the government. So, in the short term, the rig is cost effective, in the long run the rig will become expensive.

What was the criterion used to sink boreholes in different wards? I wish to say that in the Department there exist work plans for all those financial years and these are based on the needs that were raised by the people in those areas. This is what was followed to sink those boreholes.

Hon. George Makari, thank you for the kind compliments. I appreciate the work you have done for us and on the question of why the rig was not tested in Musikoma; I beg to skip that because I was not part of the decision-making team. How many boreholes were drilled per month or per year? In total we have drilled 48; and 10 were part of the contract during the purchase of the rig. So we have done for 38 and as I have said, the rig has been bedeviled by frequent breakages. At first, the rig was automatic, the drilling machine was automatic, but because of the breakages, it was converted to manual so that it doesn't cost the County much. So that machine downtime has occasioned low output from the rig.

Hon. Jeremiah Kuloba also had a question about the costs which I think I have handled. Was public participation done before drilling the rig at the Governor's office? I want to say here, I believe the rig was purchased by the County Government to assist us to ensure that we give service to the people and the service we want to give mostly is for public spaces and the office of the Governor. We are aware that many people frequent it and even the workers who work there, require water. Going forward, we endeavour to do public participation and involve all the leaders when we are designing these water projects.

I think I want to tie the same question with a question from *Mheshimiwa* Jerusa Aleu who asked about the issue of Milima not having benefited much from the rig. We endeavour to ensure that all wards benefit; especially the public places, the schools, the dispensaries, health centres, and even markets. We endeavour to ensure that we drill water for the people in those areas.

Hon. Chemion had a question about Kaborom Primary School, and he said that actually the borehole is not working. I endeavour to follow it up after this to ensure that water is available to the people in that place. You asked about the next steps, what we are going to do to ensure that the rig actually serves its intended purpose.

I wish to reiterate here that I endeavour to visit all the wards to the best of my capacity to ensure that water is available, and to ensure that the boreholes that were sunk actually serve the people. We are going forward, we will identify areas of concerns, especially the ones that are not served by our main water network from Koica; Chesikaki and even Nabuyole and Matisi to ensure that the areas that have been left out actually have water through drilling of boreholes.

We also endeavour to do feasibility studies and we will share these reports with the leadership and the community before we start the works of sinking boreholes. Going forward, this was asked by Mheshimiwa Charles, about why can the rig be used to raise revenue in the Department. Actually, we are now in the process of drafting of the Water Drilling Rig Bill to ensure that we are able to capture the aspirations of the people of Bungoma and ensure that people who require this rig, even for domestic water, that we are able to drill for them at a cost. This will be contained in the Finance Bill of 2025. That I can promise.

The Member of County Assembly from Kapkateny Ward, I equally regret that you have not benefited from the rig, and we endeavour to avail this service to you and the people of Kapkateny Ward going forward.

On the question raised by *Mheshimiwa* Lusenaka, actually it was not a question, it was a comment, and I appreciate that because we require enough funds for us to operate the rig. There are complaints from the operators that when parts are worn out, they are not replaced because we don't budget for them and these parts are very expensive. We are going to ensure that we allocate enough funds to optimize the work of the rig. *Mheshimiwa* Machani, also the same question on value for money and this true. The rig is very expensive to maintain; that is why it has been out of service for quite some time and therefore the low output. We require a budgetline on the maintenance of the rig.

Lastly, there was a question from Hon. Nganga about the warrant period for the machine, and what is the useful time for the rig. This one, we endeavour to ensure that the rig benefits all the residents of Bungoma County in all the wards and the expected salvage value for the machine. I beg to avail this information at a later date, because it is not part of the question that I prepared for. I can avail it after this session.

Therefore, going forward, the Department of Water, Natural Resources, Environment, Tourism, and Climate Change will endeavour to ensure that we use the finances allocated to us prudently, ensure that there is value for money and the people of Bungoma are able to benefit in all the wards.

**Mr. Speaker:** Thank you very much our CECM for Water for first and foremost for honouring our invitations to give us a response to the statements sought by Hon. Ipara Okasida, Honourable MCA for Tongaren Ward.

The remaining areas that you are saying you will supply; avail them in two weeks' time so that we are able to share with the Honourable MCAs that have sought for clarifications. You can leave at your own pleasure so that...

*(CECM for the Department of Water, Natural Resources, Environment, Tourism and Climate Change, Dr. Andrew Wamalwa left the debating chambers)*

Honourable Members, we have a second response to be taken up. I have the CECM and Chief Officer waiting but the Chief Officer is supposed to go for medical check-up now. We have to know how to go about it because he is the technical person accompanying the CECM, Finance. They were requesting that they be given time tomorrow, but you understand that tomorrow you have the matter of County importance. From what I learnt in the morning from the motion, this response that we are seeking will have more queries than what you were raising in the morning and what is in the statement here may require the whole afternoon.

If the one for water has been done to that extent; what about the one for seeking for revenue? Members, may I have this matter taken out so that we are able to attend to it because this issue cannot be taken to the Committee. It covers every ward and indicates how many employees we have in the name of revenue officers, collectors and license officers. So if we can have consensus, I will take it out then it comes up tomorrow; but after the issue of County importance.

*(Applause)*

Because the issue of the scholarship and bursary is priority number one; tomorrow even the motions that we are having here may end up collapsing, but that one must be dealt with so that we know the fate of our children who are at home. Members, we will now have a report by the Committee on Powers and Privileges.

Hon. Vitalis, read the motion! Read the Order Paper first before you take it up. Although Hon Vitalis did not say publicly that when we were in high school, there was a motion that education is better than money and now he is complaining that he did not know that he made a mistake; and that money is more important than education. Read the motion please!

## **MOTION**

1. REPORT BY COMMITTEE ON POWERS AND PRIVILEGES ON THE 2023 BI -ANNUAL DECLARATION OF WEALTH BY THE HONOURABLE MEMBERS

**Mr. Speaker:** Hon. Vitalis, you have the honour to move the report on behalf of the Committee

**Hon. Vitalis Wangila:** Thank you Mr. Speaker. Allow me on behalf of the Committee of Powers and Privileges to move a report on the 2023 Bi-annual declaration of wealth by Honourable Members

### **Preface**

The objectives of the report are;

- a) To establish the level of compliance by members of the County Assembly in the Bi -Annual declaration of their assets and liabilities

b) To make recommendations for enhancing compliance on the implementation of dials.

### **Establishment and Mandate of the Committee**

The County Assembly Committee on Powers and Privileges is established under Section 15(1) of the County Assembly Powers and Privileges Act, 2017 and the County Assembly of Bungoma Standing Orders.

### **MEMBERSHIP**

The Committee as currently constituted comprises of the following members

- |                           |                     |
|---------------------------|---------------------|
| 1. Hon. Emmanuel Situma - | Speaker/Chairperson |
| 2. Hon. Brigid Katasi –   | Vice Chairperson    |
| 3. Hon. Ali Machani -     | Member              |
| 4. Hon. Milliah Masungu - | Member              |
| 5. Hon. Vitalis Wangila - | Member              |
| 6. Hon. Tony Barasa -     | Member              |
| 7. Hon. Jack Kawa -       | Member              |
| 8. Hon. Eunice -Kirui -   | Member              |
| 9. Hon. Benard Kikechi -  | Member              |
| 10. Hon. Maureen Wafula - | Member              |
| 11. Hon. Orize Kundu-     | Member              |

Next is the mandate of the Committee and I beg you that I skip that particular part and go straight to acknowledgement

Mr. Speaker, I wish to record the committee's gratitude to the House for having entrusted it with this important task. In equal measure, the Committee conveys its gratitude to the office of the Speaker and Clerk of the County Assembly for the support accorded to it during the compilation of the report.

It is therefore my pleasant duty and privilege on behalf of the Committee on Powers and Privileges to table this report for noting by the House.

Signed by Hon. Emmanuel Situma, the Speaker of the County Assembly; as well as the Chair of Powers and Privileges Committee

Allow me go straight to chapter three.

**Mr. Speaker:** Proceed!

Chapter three on page 15

### **The Status of Compliance with Part Four of the Power on Dials for Bi -Annual Declaration**

The declaration of income, assets and liabilities by the state and public officers is important towards promotion of ethics and integrity through lifestyle audits.

Part four of PEO provides for declaration of income, assets and liability by public officers. Section 26 of the POIA makes it mandatory of every public officer to submit their declarations once every two years to a responsible commission for self-process and dependent children under the age of 18 years. The statement date for bi- annual declaration is the first day of the November of the year in which the declaration is required.

Declarations are to be submitted to a designated responsible commission as provided for under Section three of POIA. Further, responsible commissions are expected to identify any breaches of the declaration requirements and take appropriate action, including administrative sanctions, and submit to EACC reports on the status of compliance with the law relating to the dials.

In this regard, the Committee gathered details on the status of compliance which has culminated in this board; the observation enriched a total of 63 members of the County-Assembly.

### **Committee Observations and Recommendations**

#### **Observation**

1. The Committee observed that during the biannual declaration, all Members of the County-Assembly declared their income, assets and liability within the provided time frame. This means there was 100 per cent compliance level with the law.

#### **Recommendation**

1. That there is need for timely submission of records to the Ethics and Corruption Commission as provided for in law.

#### **Adoption**

We members of the Committee of Powers and Privileges have pursuant to Standing Order No. 202 (5) adopted the report. We append our signatures to affirm our approval of the contents there in.

Members have appended their signatures and with that, allow me call upon Hon. Brigid Katasi who is the Vice chair of this Committee to second the report.

*(Loud Consultations)*

**Mr. Speaker:** Get another member of the Committee. I know members are here. Why is he so worried about it?

*(Laughter)*

**Hon.Vitalis Wangila:** Thank you Mr. Speaker. Allow me call a senior member of this Committee Hon. Ali Machani to second this report.

*(Applause)*

**Mr. Speaker:** Proceed, Hon. Ali Machani!

**Hon. Ali Machani:** Thank you Hon. Speaker. I wish to make the House to be in position to understand Hon. Katasi has a sick child and she asked me to step for her.

Thank you for allowing me to second this report through the request of our able leader who is the Deputy Whip. The Powers and Privilege Committee is a very serious committee. It is the only Committee that enjoys the privilege of the Chair being the Speaker and more so the members who are there understand what they are supposed to do. Declaration of wealth, properties and liabilities is a requirement within the law and constitutionally it is key. I do not know if they are clapping for me but I can hear something coming from back.

We also have some serious observation there and the members have been taken through the observations and recommendations that it is good for us to adhere to the requirements and observe the deadline of declaring of wealth. If not, the Committee also has the powers to recommend and forward the name to the EACC; and you know how they can misbehave when they are handling a State Officer not just a civil servant.

I second this report; that it be approved minus amendments.

**Mr. Speaker:** Thank you Hon. Ali Machani. Honourable Members, allow me propose a motion for debate.

*Motion proposed*

Yes Hon. Lusenaka!

**Hon. Antony Lusenaka:** Thank you Hon. Speaker. I also rise to support the motion as moved by Hon. Vitalis and seconded by Hon. Ali Machani and I want to say *pole* (sorry) to Hon. Metrine. She has a sick child but I see her here as it was mentioned by Hon. Balala. I wish her child a quick recovery.

**Mr. Speaker:** Who is Metrine?

**Hon. Antony Lusenaka:** I said Hon. Katasi!

**Mr. Speaker:** Proceed, Please!

**Hon. Antony Lusenaka:** I said I wish to support the report. It is a criminal offence not to file those declaration forms. Incase maybe you are applying for a job somewhere or you want assistance in these government offices and they look at the records and maybe you never filed, you may be denied that chance. So, it is important for the members to take it seriously and file their bi -annual returns to make sure that the records are clean. You have to declare what you have acquired in the two years. It is not that someone is looking for your property, but it is important that you declare so that in case of anything, you will have the record to show for it. Otherwise, if you do not declare and its found that maybe you own those properties within that stipulated period, the government may take away your property because maybe you lied or gave false information. It is important for this House to know that those forms are very important.



**Mr. Speaker:** Thank you. Hon. Vitalis, response?

**Hon. Vitalis Nyongesa (Mover to reply):** Thank you Mr. Speaker. First of all, I would like to thank Honourable Members for their comments especially Hon. Lusenaka. I should say thank you very much. This time round, we had no issues because in case somebody has failed to comply with this particular subject, we could have called one of the members in our Committee to find out why he has not complied; but I just want to thank all the Honourable members and tell them that it is a law that you need to comply with; failure to which, chances are you might face the EACC. So, I urge the Honourable members to follow the observations and recommendations here and support this motion.

*(Applause)*

**Mr. Speaker:** Honourable Members, allow me put a question to the motion beforehand.

*(Question put and agreed to)*

The ayes have it; the report is adopted by the House.

## **ADJOURNMENT**

Honourable Members; that was the last item on our Order Paper; we will adjourn our sitting now and resume tomorrow on Thursday 25<sup>th</sup> July, 2024 at 2:30 p.m.

*The House rose at...*