

# **COUNTY ASSEMBLY OF BUNGOMA**

## **COUNTY ASSEMBLY DEBATES**

### **THE DAILY HANSARD**

**TUESDAY, 17<sup>TH</sup> JUNE, 2025**

**Afternoon Sitting**

**3<sup>rd</sup> County Assembly**

**4<sup>th</sup> Session**

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# COUNTY ASSEMBLY OF BUNGOMA

## THE DAILY HANSARD

TUESDAY, 17<sup>TH</sup> JUNE, 2025

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

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] in the Chair)

### PRAYER

### COMMUNICATION FROM THE CHAIR

**Mr. Deputy Speaker:** Honourable Members, I have a communication to make on the visiting delegation this Tuesday 17<sup>th</sup> day of June, 2025 at 2.30 p.m.

I am pleased to welcome the visiting Form Four History and Government students from St. Monica, Bukokholo Girls Secondary School from Malakisi/South Kulisiru Ward in Sirisia Sub County.

It's with great pleasure that we receive you for this Educational Tour which offers you an exceptional opportunity to learn about the devolved system of Government in our country and further distinguish between the National and County Government which comprises of the Executive and County Assembly where you are today. The delegation comprises of 91 students accompanied by five teachers. Students, be upstanding.

*(Students stand)*

Honourable Members, you can give them a clap.

*(Applause)*

Get sittid!

*(Students resume their seats)*

The teachers accompanying the students are;

1. Mr. Godwin Musani
2. Mr. Calvin Nyongesa
3. Ms. Faith Wekesa
4. Mr. Lutukai Kevin
5. Mr. Peterson Lan'gat

*(Applause)*

Thank you so much. You can get seated.

*(Teachers resume their seats)*

Honourable Members, at the statement, hour I will allow Members to say a word of encouragement to the students.

## **PAPERS**

1. REPORT OF THE SECTORIAL COMMITTEE ON ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS ON IMPLEMENTATION OF HOUSE RESOLUTIONS IN THE YEAR 2022 AND 2023

**Hon. Godfrey Mukhwana:** Thank you Mr. Speaker. I rise on my feet to table a report of the Sectorial Committee on...

**Mr. Deputy Speaker:** Hon. Mukhwana, you will carry along with the report itself. Thank you so much, you can proceed Hon. Mukhwana.

**Hon. Godfrey Mukhwana:** Thank you Mr. Speaker. I am on my feet to table a report by the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on implementation of House resolutions in the year 2022/2023.

*(Report tabled by Hon. Godfrey Mukhwana)*

**Mr. Deputy Speaker:** Thank you Hon. Godfrey Wanyama Mukhwana Member for Sang'alo West. Members, this report having been tabled becomes the property of this House. Next item!

2. REPORT BY THE LIAISON COMMITTEE ON ANNUAL BUDGET ESTIMATES FOR FY 2025/2026.

**Hon. Benjamin Otsiula:** Thank you Hon. Speaker. I wish to lay on the table of this House a report by the Liaison Committee on the Annual Budget Estimates for the FY 2025/2026.

**Mr. Deputy Speaker:** Thank you Hon. Benjamin. Honourable Members, a report by the Liaison Committee on Annual Budget Estimates for FY 2025/2026 having been laid becomes the property of the House.

*(Report tabled by Hon. Benjamin Otsiula)*

3. THE BUNGOMA COUNTY SECOND SUPPLEMENTARY BUDGET ESTIMATES FY 2024/2025.

**Mr. Deputy Speaker:** Hon. Joseph Nyongesa Juma, Leader of Majority!

**Hon. Joseph Nyongesa (Leader of Majority):** Thank you Mr. Speaker Sir. Allow me table the Bungoma County Second Supplementary Budget Estimates for FY 2024/2025.

**Mr. Deputy Speaker:** Thank you Hon. Leader of Majority, Hon. Joseph Nyongesa Juma, Member for Tuuti/Marakaru and Majority Leader.

Honourable Members, Bungoma County Second Supplementary Budget estimates for FY 2024/2025 having been laid, stand committed to the Committee on Liaison for processing and reporting back. That will happen after it is read for the first time.

## NOTICES OF MOTION

1. NOTICE ON THE REPORT BY THE SECTORIAL COMMITTEE ON ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS ON IMPLEMENTATION OF HOUSE RESOLUTIONS IN THE FY 2022/2023

**Hon. Godfrey Mukhwana:** Thank you, Mr. Speaker. I rise to issue a notice of motion that this House adopts a report by the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on implementation of House resolutions in the Year 2022/2023.

**Mr. Deputy Speaker:** Thank you Hon. Godfrey. Honourable Members, a notice of motion on a report by the Sector Committee on Roads, Transport Infrastructure and Public Works on implementation of House resolutions in the year 2022/2023 having been issued; this document should now be circulated to Honourable Members to peruse as it will form part of the Business that will be considered by this House after ratification by the House Business Committee.

2. NOTICE ON THE REPORT BY THE LIAISON COMMITTEE ON THE ANNUAL BUDGET ESTIMATES FOR THE FY 2025/2026

**Hon. Benjamin Otsiula:** Thank you Hon. Speaker. I rise to issue a notice of motion that this House adopts a report by the Liaison Committee on the Annual Budget Estimates for the FY 2025/2026.

**Mr. Deputy Speaker:** Thank you Hon. Otsiula. Members, again a notice of motion by the Liaison Committee Annual Budget Estimates 2025/2026 report having been issued, I direct the same to be circulated to all Members to go through and it will form part of Business to be considered tomorrow in this House.

## QUESTION AND STATEMENTS

**Mr. Deputy Speaker:** Well, Honourable Members as I had indicated earlier, I want to allow a few Honorable Members to make short remarks on the entourage within this Assembly. Since the Member representing the ward is out on official engagement, a member is here to stand in for

her, that is Hon. Machani Mutoka. Sorry, Hon. Machani you can resume your seat! I am told the Leader of Majority was designated to stand in for Hon. Mutiembu.

**Hon. Joseph Nyongesa:** Thank you Mr. Speaker. Indeed, Hon. Mutiembu is my neighbor and we came with her in this Assembly in 2013. Equally she is a friend and colleague.

First, I want to appreciate the team from Bukokholo led by their teachers. I want to appreciate them for finding time to come learn from this institution.

As I stand in as a neighbor, I was also a parent in that school in the year 2014/2017. My daughter was in this school. It's a good school with its own history especially in co-curricular activities and more so in netball so it's a role model for many people in that region.

As you learn from this institution, take note that success is for those who work hard and remain disciplined. Apart from being academically well, you ought to also have self-discipline. As we speak here, most of the leaders in this Assembly are leaders because they were history students. Right now, they may not know but in future if they put in effort, they will be good ladies in this country.

As you see, we have elected women leaders here who worked hard especially your own area MCA who is now serving her third term because of good reputation. I appreciate teachers and parents of that area for voting in Hon. Mutiembu for the third time. As we wish you the best, take your time and utilize it properly.

Honourable Members, take your daughters to this school because mine who went through this school is already employed because of the good morals from the school.

*(Applause)*

**Mr. Deputy Speaker:** Thank you the Leader of Majority, Hon. Joseph Nyongesa Juma and Member for Tuuti/Marakaru ward. Hon. Ali Machani Mutoka, Member for Maraka and Commissioner.

**Hon. Ali Machani:** Thank you Mr. Speaker for allowing me to at least utter a voice on what the first speaker who is our Majority Leader in this House.

First of all, I want to thank the teachers for making it possible for our learners to be in this institution. Secondly, I want to thank them for electing Hon. Everlyne Mutiembu. As the leader said, she is serving the 3<sup>rd</sup> time in this Assembly. Hon. Mutiembu is one of our leaders in this House. She is the Deputy Minority Leader in this House in the Azimio Coalition and she is a lady who has convinced the voters to be elected three times.

As we are all aware, getting elected is easy but defending is an uphill task. It's not something easy. Members who are in this House serving the second time can agree with me, you can do a lot but our people forget easily. She won on ODM ticket in the First Assembly where I belong

under NASA and she was a Deputy Chief Whip in our coalition which was majority before it became minority.

In the last Assembly, she served on Ford Kenya ticket as an elected MCA. In the Third Assembly, she is serving through a Jubilee party under AZIMIO and she is the Deputy Minority Leader. That kind of understanding sends a signal that if you serve your people, you can be elected on any party. It is only her and Hon. Kawa who have managed to change parties three times.

The Leader of Majority was on a different party in the first assembly but maintained the same party in the second and third assembly. That kind of consistency is not easy. In some areas when you change from a party which is popular, you are automatically thrown out.

In as much as she is away on official duty, she managed to talk to some leaders here. She talked to the Leader of Majority to step in. She also talked to Hon. Tony as a neighbor to step in. When she was leaving, I managed to be near her, she talked to me that having served with her I should also say a word to the visiting students.

Mine is to encourage students that you are familiarizing yourself with a legislative arm whereby some of us during our days couldn't afford. Because the only Assembly that was available was the National Assembly. Therefore, we thank those who fought for devolution which has given an opportunity to visit Assemblies in their regions for purposes of learning.

You are aware that as leaders, were supporting your education through scholarships and bursaries until recently when an advisory was given to stop. I am aware Hon. Mutiembu was supporting some of the students. Therefore, I call upon you to continue working hard; respect your teachers and parents. We encourage your parents to give support to such initiatives of visiting relevant institutions to learn.

Kindly advise your parents to support you because now days when students reach out to their parents to support such visitation, majority of them are reluctant to support. I thank your parents for supporting this education tour and inform them to continue supporting Hon. Mutiembu irrespective of party affiliations. Thank you, Mr. Speaker.

**Mr. Deputy Speaker:** Thank you Hon. Machani Mutoka, Member for Maraka, Commissioner. Hon. Tony Barasa Khaoya, Member for Lwandanyi.

**Hon. Tony Barasa:** Thank you Hon. Speaker. First I want to thank the Mighty God for the teachers who prepared our students to be here today. For those who don't know Bukokholo where it is, Bukokholo is in Sirisia Sub County. If you leave Bungoma town using Malaba Road, you can alight at Kimaeti market then you take to your right to Bukokholo. If you come from Chwele, you can use Sirisia, then immediately after Sirisia City, you can use the Malakisi road and reach Bukokholo.

**Mr. Deputy Speaker:** CPA Everton Nganga, what is the information?

**Hon. Nganga Everton (On a point of information):** Hon. Tony has mentioned that we have Sirisia City. Do we have a city in this County? It is not even a municipality Hon. Speaker.

**Mr. Deputy Speaker:** Hon. Nganga your point is noted. Hon. Khaoya, you have to use what is right.

**Hon Tony Nganga:** It has not been gazetted Hon. Speaker, I can withdraw.

**Mr. Deputy Speaker:** Let's allow Hon. Khaoya to proceed.

**Hon. Tony Khaoya:** Thank you Hon. Speaker. I was saying as human beings we are at liberty to choose a friend but Almighty God gives you a neighbour. I want to thank God that Lwandanyi is a neighbour to Malakisi/South Kulisiru where Bukokholo Girls is situated.

The ladies you see before us today, I want to thank their teachers. These are queens of Netball, they are giants of Netball and we are proud of them as residents of Bungoma County.

Hon. Speaker as you are aware, Mama Assembly, *Mheshimiwa* Mutiembu, who has gone for three terms, is a netball champion which is a positive impact to our young girls. I urge them to continue excelling in netball.

Mr. Speaker, I challenge them to replicate this starling performance in netball in their studies. That books are as good as co-curricular activities hence they should strike a balance and the sky is the limit.

For purposes of your visit today, you must learn about legislation and rules governing this County Assembly. You have not travelled to Nairobi to the National Assembly because the 2010 Constitution gave us County Governments hence 48 Assemblies; 47 County Assemblies and the National Assembly; where you can visit and learn.

In this House, we have passed policies and laws. In fact today you have witnessed tabling of the Annual Budget Estimates for FY 2025/2026 for approval of the House.

Before the bursary was scrapped off or denied with regards to the advisory from the Controller of Budget, Hon. Mutiembu used to allocate bursaries to Bukokholo Girls for our girls. I want to urge our netball giants, the pride of Bungoma to pursue. Equally, we wish them the best of luck and success in their exams. Thank you Hon. Speaker.

**Mr. Deputy Speaker:** Thank you Hon. Khaoya, Member for Lwandanyi. Yes Hon. Sheila Sifuma specially elected Member.

**Hon. Sheila Sifuma:** Thank you Mr. Speaker Sir for the opportunity to address our girls. First of all I want to say *karibu*; you are welcome to the County Assembly of Bungoma. To start I quote

Eleanor Roosevelt who said " The future belongs to those who believe in the beauty of their dreams." As you have seen a few minutes ago, the MCA for Lwandanyi has a dream for Sirisia to be a city. The way he is dreaming big, I encourage you young girls to dream big. If Sirisia a small village near Mt. Elgon can become a city,

*(Laughter)*

...what about you who lives there and studies there. My motivation for the girls today; you have gentlemen who have spoken before me, my seniors; I thought it is good to represent the ladies and I am nominated to serve in this Assembly.

In this Assembly we have both the elected, who are elected by the people and we have the specially elected who are sent to represent the interest of different constituencies which can be political parties, women and youth. As you go back to school, work hard. There is nothing that is impossible if you work hard. Work hard, work smart and by the end of the day, remember to pray to God because He is the one who establishes destiny. I wish you all the best and as you go back to school, do your best and there is nothing you can't accomplish. Thank you very much.

*(Applause)*

**Mr. Speaker:** Thank you Hon. Sheila Sifuma specially elected member. We also have the Hon. Linda Kharakha specially elected Member.

*(Applause)*

She is elated and happy. Let's see what she has for the students.

**Hon. Linda Kharakha:** Thank you for the opportunity. I do not want to go on record. I am saying this intentionally. Hon. Museveni is coercing me to say something but in a good way.

*(Laughter)*

I feel elated today to stand and speak to our young girls. The young girls who have come here today to follow the proceedings of the House. It's a privilege, it's an honor, it's a unique opportunity for you to sit in the gallery today and watch these men and women transact the business of today. Many wish to come here but they have never had the opportunity, so you should clap for yourself for that.

Secondly, I want to encourage our young girls; the future is female and it can only happen now when you make it right. You make it right with your books; you make it right with the people who have gone before you; your teachers, your peers and your mentors. Right? And everything will be open for you.



Discipline carries the day. The Members who are sitted here today are disciplined Members in time, in their dress code. There is a formal dress code for these Members. Discipline is not in school alone, even outside school you will be required to be disciplined for you to manage the market sector.

Finally, what I usually tell my fellow Members and other students who have come here before, that initially when I was called to do law, my dad wanted me to be a teacher, something that was not in my calling. Not to say teaching profession is not good profession, teacher's sited here today made us who we are today.

It is through a trip, like you are having today that I chose to be Lawyer. To be a Lawyer and later become a politician. The message is that whatever you put your heart to, not to mean that you disrespect your parents, it will work for you. I am honored today that I am sitting here with one Hon. Mukhanya who happens to be my dad, and I am privileged. Thank you Mr. Speaker.

**Deputy speaker:** Thank you Hon. Linda. For the students, that is something that you have to take seriously, a father to the honorable Member is also here serving. Hon. Mukhanya, let me allow you to stand.

**Hon. Alfred Mukhanya:** Thank you, Mr. Speaker. I think it's an opportunity that I also say something about our girls. You have been told and you can see what she is now. Work hard and the future belongs to you. I want to encourage the girls to work hard and they should know that tomorrow belongs to them. With those few remarks, I thank you Mr. Speaker.

**Deputy speaker:** Thank you. Second, last, before we go to the chairperson, we have Honorable Rugut.

**Hon. Angeline Rugut;** Thank you, Mr. Speaker, for the opportunity to address the students in our gallery. I want to echo what the earlier speakers who said that you are privileged to be here. Do not take that for granted. It has taken the sacrifice of the teachers to arrange that you visit this House.

You are girls, and you've been given the opportunity by your parents to pursue education. There are many students out there, many girls out there who would have wished to be where you are but they are not there because of the fact that perhaps there are so many challenges. Respect your parents and always count yourselves lucky. Count your blessings that you've managed to be where you are.

I want to thank the teachers for the sacrifices they are making for these students to excel. I want to emphasize to the students that to pursue and excel in academics is one thing; to succeed in life is quite another thing. To emphasize on your discipline, that be always disciplined. Choose your friends well. If a friend wants to make you do something that is wrong, choose another friend. You need not announce that you are leaving them, but make a personal decision never to be dragged towards your self-destruction. Always do something that will lead you towards your destiny. I know that all of us have something that we would like to be in future. We pray for you

and continue praying for yourselves. Respect your teachers and teachers be blessed abundantly. Thank you, Mr. Speaker.

**Deputy speaker:** The Hon. Jackson, Wambulwa, Ouma is a neighbor.

**Hon. Jack Wambulwa (On a point of information):** Thank you, Hon. Speaker. I rise on a point of information; first of all, I want to welcome Bukokholo my neighbors to this House. Hon. Speaker, Bukokholo is one of the oldest schools in the lower region...

**Deputy speaker:** Hon. Wambulwa, you rose on a point of order or information?

**Hon. Jack Wambulwa:** I wanted to welcome them, and then I'll give you some information, Hon. Speaker. I have a concern that I want to raise as I welcome them first. It's just in order. Hon. Machani Ali, I don't know why he is rising before I even...

**Deputy speaker:** Let's have Hon. Machani Ali, maybe he has an observation.

**Hon. Machani Ali:** Thank you, Hon. Speaker. Is it in order for the Member to raise a point of information which he has not requested? He is speaking to the students. Is it in order?

**Deputy speaker:** Jackson Wambulwa when you rise on a point of information, you go straight, because we have students who are learning. They have to understand the procedures of this House. If you rose to contribute, please make your contribution.

**Hon. Jack Wambulwa:** Under the Speaker's Regulation 31, Hon. Speaker, I have a concern. Members do not read the Standing Orders. That is why they are concerned. I have referred to part one, on the Speakers' Regulation Hon. Speaker,

**Mr. Deputy Speaker:** What is the point of order Hon. Machani Mutoka?

**Hon. Ali Machani (On a point of order):** Hon. Speaker, is it in order for the senior Member to mislead this House. We don't have regulations guiding the Speaker? We only have Standing Orders, any other law and the Constitution. I stand to be guided Mr. Speaker

**Mr. Deputy Speaker:** Order Honourable Members. Proceed Hon. Machani Mutoka?

**Hon. Ali Machani:** Is it in order for the honourable Member, to arm-twist this House. Because he said he rose on a point of Information which he did not point out. Equally, he indicated that his information is in relation to the Speakers Regulations. Do we have Speakers regulations?

**Mr. Deputy Speaker:** Order Honourable Members. Hon. Jack Wambulwa, you are out of order. You are not being straight and specific. We have learners in the House; they have to be clear on what we do. You have to be clear, precise so that the learners can take home what is right.

Hon. Jack Wambulwa, resume your seat first. I ruled Hon. Jack Wambulwa out of order implying he cannot proceed to speak. I was giving Hon. Benjamin Otsiula, Chairperson of Education because he had pressed the button but erroneously allowed Hon. Jack Wambulwa.

Order, Hon. Jack Wambulwa, you are talking about Speakers regulations and it is on record. Hon. Jack Wambulwa, order! It is yourself who said Speakers regulations. Order Members. We are not here for a shouting session; we are not after shouting matches here. We are here because of rules and debating in a proper manner. Hon. Jack Wambulwa, it's you who mentioned regulations and it's on record, therefore, it's important that when you make a mistake, you own up. That is a gentleman's way of doing things. Well, we proceed!

**Hon. Jack Wambulwa:** You are intimidating us,

**Mr. Deputy Speaker:** Hon. Jack Wambulwa you are out of Order, and you should not heckle in this House. You should behave honorably. Hon. Chair - Education proceed! Hon. Benjamin Otsiula, sorry, before you come let me allow Hon. Deputy Majority Whip, Hon. Isaiah Sudi Member for South Bukusu Ward.

**Hon. Sudi Busolo:** Thank you Hon. Speaker, for allowing me add on what my other colleagues have said to our girls in the gallery and their teachers. Speaker, as a father of girls, it important to say something to the girls.

That this is their time; they will not remain young forever, and therefore, they must work hard and define their destiny because no one will do it for them. I have girls in my house and they are doing well. I want to encourage you that educating a girl is investing in an important venture. To us as fathers, yesterday was Father's Day, and it's only my daughter, who really praised me with flowers. Even the shirt I am wearing now is a product of the Father's Day yesterday, from my daughter. I want to encourage the girls behind me that they actually work hard so that your parents can also enjoy, the way I am enjoying from my daughters.

It does not come easily; you must work hard in school. Secondary education is not the end; you may succeed to go to University or TVET. They are all roots for your destiny, it doesn't matter. People tend to assume that MCAs are not educated; here we have Lawyers, CPA we have more than two, teachers even the Speaker for today is a high school teacher.

Spare your time; don't allow peer pressure to destroy your future because once you destroy your future, you will regret. Aware that 8.4.4 is now on the verge of being done away with, you can imagine, if you don't get a good grade you will regret because you will not upgrade. Kindly, go back to school and work hard so that you define your destiny in the near future. The future is close to you and it's in your hands. Thank you Mr. Speaker.

**Mr. Deputy Speaker:** Thank you Deputy Majority Whip, Hon. Isaiah Sudi Member for South Bukusu. Kindly, allow me have the Chairperson, Hon. Benjamin Otsiula Member for Khasoko

**Hon. Benjamin Otsiula:** Thank you Hon. Speaker, Hon. Speaker. On behalf of Education and Vocational Training Committee, allow me to pass my special appreciation to the teachers of Bukokholo Girls High School and the students for finding time to come over to the County Assembly of Bungoma for purposes of learning.

I am reliably informed that the students have been taken through all the procedures and processes of this House, they have learnt extensively since morning hours and it will not be in good faith to repeat here what they have already received. Mine is to encourage them to work hard and remain disciplined in class, make good use of their time. Be good time managers because the four years period is normally short. We expect to see them out here joining good ranks, especially the paid ranks so that we celebrate them as they become future leaders of the Country.

For our teachers, keep working, keep nurturing our children, and continue working because what you are doing is very noble. I am not going to give you several examples but today I will give you one example; for these students to go back and be very happy; whoever is chairing today's session is a teacher by profession and Deputy Speaker of the County Assembly of Bungoma. From where you sit, know that whatever you are doing, you are producing people, who come out after a short period of time to serve in different capacities. In the near future, these girls will be in this House and other in Nairobi occupying other positions.

Hon. Speaker, I said I will not take much time because of what is ahead of us, as you go back, prepare for your exams well. I wish you the very best pass well and join us. For our teachers, have journey mercies back and continue working for the best of the society. Thank you Hon. Speaker.

**Mr. Deputy Speaker:** Thank you Chair - Education and Vocational Training Hon. Benjamin Otsiula Member for Khasoko.

May I take this opportunity also, on behalf of the rest of Members, and on behalf of the Speaker of this Assembly to encourage them and wish them well as they go back to focus on what exactly took them there.

You are at Bukokholo for a season and for a reason. God puts everything at an appropriate time so that you can achieve God's purpose in your life. That's why Moses went into the desert, away from the comfort of the family. God was preparing him to take the Israelites out of the desert to the promised land.

That is why Nelson Mandela.... Nelson Mandela was a youth for the African party in South Africa that was fighting against apartheid. He was very aggressive and abrasive but God made it that Nelson Mandela should go to prison and for twenty seven years, God was working on him

so that when he comes out of prison, he leads South Africa for reconciliation. There is a purpose for you to be in that school. Go back and remind yourself that you are there for a purpose, for your future. God bless you. Next item!

## **MOTION**

1. REPORT OF THE SECTORAL COMMITTEE ON TRADE ENERGY AND INDUSTRIALIZATION ON FIRST AND SECOND QUARTER FINANCIAL STATEMENTS FOR PERIOD ENDED 31ST DECEMBER, 2024

**Mr. Deputy Speaker:** The Hon. CPA Benard Kikechi Member for Mbakalu Ward

**Hon. Benard Kikechi (Chaperson, Trade):** Thank you Hon. Speaker...

**Mr. Deputy Speaker:** Hon. Timothy Chikati you are out of order, and you are not behaving honorably, you cannot shout, there is a procedure of doing things in this House, so members kindly, be Honourable enough, we have students in the gallery. Proceed Hon. Benard Kikechi.

**Hon. Benard Kikechi (Chairperson, Trade):** Thank you Hon. Speaker, I am on my feet before this House...

**Mr. Deputy Speaker:** Yes, that's proper honourable, when you request for an opportunity you are given, in a proper manner. What is it Hon. Waliaula?

**Hon. Aggrey Mulongo:** Thank you Mr. Speaker. Nowadays as a rule of this House, Mr. Speaker, we must confirm quorum of the committee.

**Mr. Deputy Speaker:** That is what Hon. Timothy Chikati never did; he was right but never did that. Confirm the quorum for the committee. Can your Members be upstanding? What is it Hon. Benard Kikechi? Take your seat. What information Hon. Linda Kharakha?

**Hon. Linda Kharakha (On a point of information):** I would like to be informed or rather inform the House, are Members who are Standing Members of Trade Committee at the time of writing this report or not? Can Members who participated in writing this report who are currently not Members of Trade Committee also stand?

**Mr. Deputy Speaker:** Order Members, those who signed that report should own the report. Order Members; let us have Hon. Jack Wambulwa first.

**Hon. Jack Wambulwa:** Hon. Speaker, I think Members should understand about quorum; quorum refers to the current membership of the committee. It should not be misplaced and it is wrong for

Members to claim that only those who were members at the time of report writing and not the current Members of Trade and Industrialization Committee.

**Mr. Deputy Speaker:** Order Members. I want to make this ruling; hold your horses; those Members who participated in making the report and also the Members who are now currently in the committee will make quorum. It is a funny scenario and you have to accept. Order Members. The Members who comprised the committee now will form a quorum but remember if that report was signed by Members who were removed from that Committee and they signed and appended their signatures, they must own the report. Hon. Benard Kikechi proceed! I have ruled.

**Hon. Benard Kikechi (Chairperson, Trade):** Thank you Hon. Speaker. Indeed Hon. Speaker that is Solomonic ruling.

Hon. Speaker, I am before this House, to move a motion on report of the Sectoral Committee on Trade, Energy and Industrialization on the first and second quarter financial statement for the period ended 31<sup>st</sup> December, 2024.

Standing Order 217 5(b) requires Sector Committee to consider quarter reports of the assigned departments and report to the House. It is therefore, my duty to present the report by the committee on Trade Energy and Industrialization on the financial statements for the period ending 31<sup>st</sup> December, 2024.

The document was tabled in this County Assembly of Bungoma on 5th March 2025 and stood committed to the Honourable House, the committee invited the department to appear before it within the precincts of the County Assembly of Bungoma vide a letter reference COB/ADMN/VOL / V / 88 the committee carried interrogation on 25th 11: 00 am and compiled a comprehensive report for consideration of this house, Honourable speaker

### **Committee Membership**

The following is the committee membership as currently constituted;

- |                            |             |
|----------------------------|-------------|
| 1. Hon. Benard Kikechi     | Chairperson |
| 2. Hon. Joan Kirong        | Member      |
| 3. Hon. Milliah Masungu    | Member      |
| 4. Hon. Wafula Waiti       | Member      |
| 5. Hon. Kimeta Polycarp    | Member      |
| 6. Hon. Jack Wambulwa      | Member      |
| 7. Hon. Alfred Mukhanya    | Member      |
| 8. Hon. Ali Machani        | Member      |
| 9. Hon. George Makari      | Member      |
| 10. Hon. Cornelius Makhanu | Member      |

11. Hon. Tony Barasa	Member
12. Hon. Godfrey Mukhwana	Member
13. Hon. Charles Nangulu	Member
14. Hon. Jerusa Aleu	Member
15. Hon. Stephen Kaiser	Member

### **Acknowledgement**

On behalf of the committee, I would like to extend my gratitude to the office of the Speaker and Clerk for providing a conducive environment that allowed the Committee to undertake the assignment seamlessly. Your unwavering support and logistical assistance have been instrumental in ensuring the success of this project. I express my sincere gratitude to the Honourable Members attached to this committee for their dedication and valuable contribution towards the compilation of this report. Equally, I acknowledge and commend the Secretariat for their tireless efforts in making this exercise a success. I further do confirm that the recommendations of the Committee in this report were unanimous.

It is therefore my pleasant privilege and honour to present to this House the report of the Committee on Trade, Energy and Industrialization on the financial statements for the period ending 31<sup>st</sup> December, 2024. This report is signed by Hon. Benard Kikechi, Chairperson Committee on Trade, Energy and Industrialization.

### **Expenditure Analysis**

The total budget for Trade, Energy and Industrialization department for the financial year 2024/25 is Kshs. 417,032,293 as per the approved annual budget comprising of a total of Kshs. 88, 614,649 recurrent budget and Kshs. 328, 417,644 for development.

### **Budget Absorption**

The total expenditure budget for the period under review was Kshs 80,107,906.71 representing 19.2% total budget absorption;

### **Budget execution by classification**

#### **Recurrent expenditure**

Under Recurrent, the allocation of Kshs. 88, 614,649 had an expenditure of Kshs. 29,066,486.71 (32.8%) on the following votes:

- Human resource management (Basic salary, pension and promotions) had an allocation of Kshs. 33,640,542 with absorption of Kshs. 17,118,158.71 representing 50.8% absorption rate of the salary vote



- Electricity expenses with an allocation of Kshs. 3,002,814 had an expenditure of Kshs. 1,500,148 translating to an absorption of 50%
- Domestic Travel, Subsistence and other transportation costs with an allocation of Kshs. 6,479,660 had an expenditure of Kshs. 497,600 translating to an absorption of 7.7%
- Hospitality supplies and services with an allocation of Kshs. 12,153,219 had an expenditure of Kshs. 3,358,580 translating to an absorption of 27.6%
- Fuel oil and lubricants with an allocation of Kshs. 3,184,000 had an expenditure of Kshs. 1,592,000 representing 50% absorption
- Routine maintenance with an allocation of kshs. 10,000,000 utilized kshs. 5,000,000 representing 50% absorption.

The following votes with allocations in the budget had NIL expenditures; Printing and advertisement, Training expenses, other operating expenses, office general supplies, purchase of furniture and routine maintenance of motor vehicle. During interrogation the department highlighted that delays in procurement processes and the capping of expenditures to 50% of the vote by half year were the main reasons for the non-expenditure. To ensure that operations were not interrupted, the department relied on the rollover of general suppliers from the previous financial year to support its operations.

### **Development expenditure**

Under Development expenditure which had an allocation of Kshs. 328, 417,644, the document presents absorption to a tune of Kshs. 91,041,420 translating to an absorption rate of 27.7% for the following programs;

- Trade loans with an allocation of Kshs. 30,000,000 had an expenditure of Kshs. 11,041,420
- Other infrastructure and civil works (Kamukuywa market) with an allocation of Kshs. 80,000,000 had an expenditure of Kshs. 40,000,000 which is 50% of the allocation.
- County Aggregated Industrial Park construction with an allocation of Kshs. 80,000,000 had an expenditure of Kshs. 40,000,000 representing 50% absorption rate.



With regard to its completion status, the department highlighted that the project was at 52%. The following works had been done; aggregation and cold storage warehouses at 45% complete, value addition ware houses 15%, boundary wall 5%, office block, ablution block, pump house, power house all at 90% complete. Further, the department highlighted that the project's progress has been impacted by delayed exchequer releases, steep gradient at the existing quarry site, high water table and marshy terrain.

Programs that had Nil expenditure include; Ward Based Programs (Kshs. 59,467,280 allocations), Supplier Credit –Ward Based Project (Kshs. 13,917,051 allocation), Energy access (Kshs. 20,033,314) and REREC (Kshs. 45,000,000 allocation).

### **Pending Staff receivables**

According to the Treasury's submission, the outstanding imprests in the department as at 31<sup>st</sup> December, 2024 were six and their total sum was Kshs.3,088,180. However, during interrogation, the Department submitted a list of eleven imprests. The report on the eleven staff imprest as at 31<sup>st</sup> December, 2024 amounted to Kshs 4,632, 725 broken down as shown in table 2.1.

### **Staff Imprests**

<b>NO</b>	<b>IMPREST HOLDER</b>	<b>ACTIVITY</b>	<b>DATE OF PAYMENT</b>	<b>AMOUNT</b>
1.	Stephen Sitati	Facilitation for capacity for trade loan applicants	30/8/2024	278,025
2.	Reuben Wabwa	Facilitation for induction programme at KSG-Lower Kabete	23/8/2024	137,600
3.	Micheal Wanjala	Facilitation for launching of Trade loan	30/8/2024	340,000
4.	Roselyne Nangendo	Facilitation for launching of Trade loan	30/8/2024	337,500
5.	Marystella Wabwile	Facilitation for launching of	30/8/2024	106,000

		Trade loan		
6.	Benjamin Bifwoli	Facilitation for launching of Trade loan	30/8/2024	338,880
7.	Edmond Juma	Facilitation for stakeholders engagements on valued addition	28/8/2024	1,125,000
8.	Dan Malabe	Facilitation for stakeholders engagements on valued addition	11/11/2024	1,018,820
9.	Lilian Kakai	Facilitation for ground breaking and site handover for construction of energy centre at Lunakwe	1/12/2024	406,760
10	Lilian Masinde	Facilitation for verification for staff loan defaulters	15/11/2024	178,800
11	Phoebe Namwalo	Facilitation for vetting of Trade loan applicants	15/12/2024	365,340
12	<b>TOTAL</b>			<b>4,632,725</b>

The department submitted that the following staff had surrendered their imprests as at the date of interrogation.

1. Stephen Sitati                      Kshs. 278,025
2. Lilian Masinde                      Kshs. 178,800
3. Mr. Reuben Wabwa                      Kshs. 137,600
4. Marystella Wabwile                      Kshs. 106,000
5. Phoebe Namwalo                      Kshs.365,340
6. Benjamin Bifwoli                      Kshs. 338,880
7. Roselyne Nangendo                      Kshs. 337,500

It was observed that only four imprests had not been surrendered. The supporting documents with regard to the above are annexed to this report.

### **Trade Payables/Pending bills.**

Trade payables at the beginning of the financial year stood at Kshs. 145,333,312 (Kshs. 12,099,807 recurrent, Kshs. 132,581,367 development and Kshs. 652,137 retention). During the period under review, Kshs. 40,579,000 was paid leaving a closing balance of Kshs. 104,754,312 (Kshs. 11,739,807 recurrent, Kshs. 92,362,367 development and Kshs. 652,137 as retention).

The Department however declared a different figure of an outstanding pending bill opening balance of Kshs. 13,166,603 recurrent and Kshs. 65,308,614 development. Further, the department highlighted paying off Ksh. 7,542,404 of the recurrent payables and Kshs. 13,917,051 of the development payables leaving a balance of Kshs. 5,624,199 recurrent and Kshs. 51,391,563 development. To address the varying figures, the Department informed the Committee that the County Treasury had issued a circular for harmonization of pending bills by Departments and that a report detailing the harmonized figures shall be issued once the exercise is completed.

The Committee requested for a copy of the circular to confirm that indeed such an exercise was ongoing but the circular had not been submitted by the time of finalizing this report. The pending bills variance is as elaborated in **Table 2.2**.

From the table above, the committee noted discrepancies between the Treasury's and the Departmental submissions. These discrepancies were of the following natures;

1. Treasury's submission was higher than the Department's in areas such as electricity bills where Treasury submitted Kshs. 10,000,000 pending bill, whereas the Department submitted Kshs. 5,000,029.
2. Under Postal Corporation of Kenya, Treasury submitted Kshs. 60,720 while Department submitted Kshs. 70,900.
3. With regard to Mali Safi Garage pending bill, Treasury submitted Kshs. 90,000 whereas the same does not appear in the Department's list.
4. The Department submitted a pending bill of Kshs. 1,900,000 in relation to Emricon whereas the same does not appear in the County Treasury's list.
5. Treasury's submission contains repetition on the pending bills resulting to inflation of the amount. For instance, the pending bills for Nation Media group worth Kshs. 320,508,

Eagle power services Limited for Installation of streetlights at Kwa area and Bilibili in Milima ward Worth Kshs. 786,000, Multiple Dimensions Ltd for Proposed installation of 2No. Solar powered streetlight at Kabwoyo and Kongit in Kaptama Ward worth Kshs. 923,360 and Jono Limited for Proposed installation of 3No. Solar Powered Floodlight at Maroon, Kabwoyo and Chesito in Kaptama Ward worth Kshs. 2,827,500 have been repeated which raises pending bills illegally by Kshs. 4,857,368.

## **CHAPTER THREE**

### **COMMITTEE OBSERVATIONS AND RECOMMENDATIONS**

#### **Committee observations**

The committee observed the following:

1. The overall budget absorption for the department was 19.2% at the end of the 2nd quarter, indicating slow execution of both recurrent and development activities against the planned targets.
2. The recurrent expenditure stood at 32.8% of the allocation while salaries and utility expenses such as electricity and fuel showed relatively fair absorption. Other key operational areas like domestic travel, hospitality, and office supplies recorded low and nil expenditure respectively, mainly due to delays in procurement processes.
3. Development budget realized 15.5% absorption rate. Major expenditures were concentrated on ongoing projects like the Kamukuywa Market and the County Aggregated Industrial Park. However, several critical programs, such as Ward-Based Programs, Energy Access initiatives, and REREC projects, recorded no expenditure by the end of the 2nd quarter.
4. The delays in the procurement process significantly affected service delivery, especially in areas requiring operational support such as printing, advertisement, training, office supplies, and furniture.
5. Although the department had made progress in settling trade payables, a significant amount of Kshs. 104,754,312 remains outstanding, which continues to exert pressure on the department's financial resources.

6. There were a lot of glaring discrepancies between the pending bills reported by County Treasury and those submitted by the Department casting doubts to the authenticity of the report. There were notable double entries in Treasury's list as highlighted in the report. Further, some pending bills were appearing in one submission while missing in the other and under/over reporting.

### **Committee Recommendations**

The committee recommends as follows;

1. **THAT**, the department should streamline its procurement processes to ensure timely acquisition of goods and services. Early procurement planning and adherence to procurement timelines are critical to improve budget absorption rates.
2. **THAT**, priority should be given to fast-tracking implementation of critical development projects, especially those that have recorded no expenditure to date, to ensure achievement of the intended development outcomes by year-end.
3. **THAT**, the Chief Officer must enforce strict compliance with section 95 Of the PFM Act, which highlights prompt surrender of imprests and any officer who fails to do so should be surcharged. Similarly, the department should furnish the committee with a status report with regard to staff imprests within 30 days from the date of adoption of this report.
4. **THAT**, the Department should ensure pending bills are given first charge. The department should not process payment of any pending bills before verification and harmonization with treasury.
5. **THAT**, as per the Department own submission on variances in pending bills harmonization exercise, this House should be furnished with a harmonized and verified pending bills within 60 days from the date of approval of this report.
6. **THAT**, the CECM should be submitting a copy of the expenditure report to the County Assembly whenever the department submits the same to the County Treasury.

When you move to the next page you will see an adoption schedule duly signed by the Members of this Committee and subsequently we have the annexures attached;

- I. Recurrent expenditure analysis
- II. Pay roll

- III. Project status report
- IV. Procurement plan implementation
- V. Pending bills
- VI.** REREC matching fund project status
- VII. Imprest surrendered

Looking around this Honourable House, I see members and the rest of the Honourable members seated and keenly following this report. Specifically I am seeing the MCA for Ndivisi Ward that is the Hon. Alfred Mukhanya and also happens to be a member of this Committee and it is my privilege and pleasure Hon. Speaker to invite him to second this report.

*(Applause)*

**Mr. Speaker:** Thank you the Hon. Bernard Kikechi, Member for Mbakalu and chair of the Committee for the report on Trade. Hon. Mukahanya it is now your Honour to second the report.

**Hon. Alfred Mukhanya:** Thank you Mr. Speaker first of all before I second, I want to say to my chairperson that he has moved this report eloquently and we have all followed and I think he deserves a clap.

*(Applause)*

Mr. Speaker, if you look at the whole report, it revolves around the absorption rate. As a department and as you know, we are in 4<sup>th</sup> quarter. If we are saying the 2<sup>nd</sup> quarter you have only absorbed 19.2%, which is too low for the department.

The second thing is about RELEC; I remember when we were launching RELEC we thought it was something which was going to work but to date, you find that we have done very little. RELEC is meant to benefit our people in the locality and other departments but the absorption in development is only 15.5 percent.

The other thing is about the pending bills; this has been a thorn in the flesh within all departments. Pending bills are supposed to be considered as first charge but they are swelling up nearly every quarter. Our departments and the treasury should come up with a structured way of dealing with the pending bills.

The other issue is on procurement which in my opinion is slow affecting implementation of development projects. Soon we are going to pass the annual budget in this House but implementation of projects might begin in January next year because of delayed procurement.

The department should make sure that procurement is expedited to enable implementation of projects and paying for completed projects within the fiscal year.

Mr. Speaker, with those few remarks, I second the report and ask this House to support this motion. Thank you, Mr. Speaker.

**Mr. Deputy Speaker:** Thank you the Hon. Mukhwana. Honourable members, allow me now to propose a motion for debate;

*(Motion proposed)*

**Hon. Johnston Ipara:** Thank you Hon. Speaker. Allow me start by lauding the mover of the report who happens to be our son from Tongareni Sub-county.

This is a very important report because it gives the details of what is happening in the department. Trade affects every person who lives within the boundaries of our county mostly those who depend on the farm produce.

I want to start by the first item on imprest by those who are facilitating the trade loans. Hon. Speaker, if you listened keenly you will find that the key defaulters, one of them is the Chief Officer who is supposed to offer policy direction failed to surrender the imprest within the stipulated timeframe yet he is expected to lead by example. The other person mentioned is Stephen Sitati who happens to be the fund manager for the Trade Loan. If these officers are defaulters, they don't lead by example, how do we trust them with these serious responsibilities? Honourable Speaker, if you saw the imprest that was taken, it was taken for one purpose, to facilitate awareness...

**Mr. Deputy Speaker:** Hon. Okasida, because we are on record, I don't know what is on page 10 concerning those officers, the one you are mentioning? Second last paragraph...

**Hon. Johnston Ipara:** Hon. Speaker, I want you to pay attention to what I want to say to clarify on what you have raised. I was saying, Honourable Speaker...

**Mr. Deputy Speaker:** Order. Just a moment. What is the point of order Hon. Machani?

**Hon. Ali Machani (On a point of order):** Is it in order for the senior Member who has served in this House to say what he has pointed out to the Speaker. I stand to be guided.

**Mr. Deputy Speaker:** I direct that the same pronouncements be expunged from the records of the HANSARD. What the Hon. Okasida insinuated referring to the seat of the Speaker. Be guided Hon. Speaker.

**Hon. Johnston Ipara:** Hon. Speaker, I clearly stated that I was referring to the Fund Manager and the Chief Officer of the department. Maybe Hon. Balala did not get me correctly because

you directed me and I said that the direction you gave is taken care of. I don't know if that is what he referred to...

**Mr. Deputy Speaker:** Hon. Okasida, just a moment. You mentioned that the defaulters were one Stephen Sitati, who you informed the House from your submission that he had not surrendered the imprest. Looking at page 10 of the report, there are officers mentioned who surrendered the imprests and it happens that the officer you mentioned is among them and you are on record in this House. What is it Hon. Machani Mutoka? You are insisting.

**Hon. Ali Machani:** Thank you for allowing me. I was on point of order to ask if it is in order to say the Speaker is not listening to him keenly. From where I sit, the Speaker will always be keen; therefore, you cannot direct and advise the Speaker to listen keenly. I wanted him to withdraw so that the statement is expunged from the record. Hon. Speaker, I am not Hon. Balala. Unless I accept to be called Hon. Balala. For now I am Hon. Machani.

**Mr. Deputy Speaker:** Hon. Okasida, consider your submissions and pay attention to those issues raised and do the necessary. You are from a disciplined force.

**Hon. Johnston Ipara:** Thank you, Hon. Speaker, for that guidance. Let me draw your attention to page 9 of the report and particularly on 2.1. I want to take you to column 4 on date of payment of the imprest; it was paid during the financial year 2023/2024. I want to assume this imprest was taken to facilitate disbursement of trade loans during the financial year 2023/2024. It is the reason I stated the above. If those statements are misplaced, kindly, Hon. Speaker, you can guide me and the directions to be taken.

I said this because they are senior-most members of the department and if they cannot lead by example, who do they expect to lead or do the right things? That is why I was saying that.

On the second item; Trade Loan allocation was KShs.30 million, up to the time of the reporting, they had only used KShs.11million. If these people do not abide by the regulations of the department and the county, are they able to assist the traders within Bungoma County to secure the loans are available? I am saying this without fear because we are remaining with only two weeks for this financial year to come to an end. Can anybody persuade me that within the two weeks, they will have time to receive applications, go through them then issue loans? Hon. Speaker, this is a difficult task and that is why I was wondering, if really somebody not playing within the rules of the game will be able to assist traders to utilize the money that is available?

Hon. Speaker, the people we represent here are ever complaining not getting trade loans. For this reason, in future, we should insist that those entrusted with custody of resources should be trustworthy, honest and patriots ready to serve without bias.

The other thing that is worrying is pending bills; this is an animal in the House. If the treasury issues figures of pending bills which differ with those from departments then where are we



headed to? That is why you find that pending bills keep rocketing day and night because we have untrustworthy and dishonest people in public offices who don't know what the right hand and the left hand are doing.

I remember last time you appeared before the Senate, you remember the questions that were put before you. You responded because we don't have the right people to take care of the scarce resources. The mover of this motion indicated they do double entries which basically means that on one side you are paying the right debt and on the side you are paying debts that don't exist.

Lastly, is on timely procurement; if there is anything that has failed our county as rightly put by the mover of the report, is failure to adhere to procurement procedures. If procurement is done at the beginning of the financial year, we will be able to procure services and goods on time. I want to believe that most of the time this is done intentionally so that we don't fulfill what is required, so that our money is diverted elsewhere. As an Assembly, we must stamp the authority that is given to us by the law. I submit, Hon. Speaker.

Mr. Deputy Speaker: Thank you. Hon. Nyongesa, Leader of Majority?

**Hon. Joseph Nyongesa:** Thank you Speaker. First allow me also to appreciate the mover of this report who is the Chairperson - Trade Committee, seconder and the whole committee not forgetting their Secretariat. I want to be very brief that I am in support of the report. However, there are some two issues that I am really following, especially on the recommendations part.

Recommendation number four, that the pending bills should be treated as first charge. Mr. Speaker, you are aware of the budgeting process that we normally go through, and mostly the approvals are done in this House. I am wondering if this recommendation is implementable because for instance, the department has been allocated Kshs. 20 million towards pending bills against a total pending bill of let's say Kshs. 100 million. If we insist that pending bills should be treated as first charge, where will the department get a deficit of Kshs. 80 million to pay pending bills?

On recommendation number six, Mr. Speaker, the committee is saying that the CECM should submit a copy of the expenditure report to the County Assembly whenever the Department submits the same to the County Treasury. Usually, Treasury compiles expenditure reports as submitted by departments and before they forward to the County Assembly, the cabinet must approve such reports. If every department will submit its own report then what will the treasury do? The work of the treasury, Mr. Speaker, is to compile and ensure that the cabinet approves and in that cabinet the CEC member in charge of Trade will also be present to proofread and ensure that this is what we submitted, Mr. Speaker. If we say they should now again submit to the Assembly, then we will be losing focus. Otherwise Mr. Speaker, I support.

**Mr. Deputy Speaker:** Thank you, our Leader of Majority. We have online the Hon. John Kennedy Wanyama, followed by the Hon. Vitalis.

**Hon. Kennedy Wanyama:** Thank you, Hon. Speaker for the opportunity to contribute to the motion before us. I also want to take this opportunity to appreciate the mover of the motion who is the Chairperson Hon. Bernard Kikechi.

Mr. Speaker, the first issue I want to talk about is the issue of low absorption rate. I am more worried when I look at the absorption rate of the development vote which was at 15.5% and was actually because of the ongoing projects that is Kamkuywa and the aggregated park. Projects that touch on local *mwanaanchi*; these are the Ward projects; registered zero absorption rate. This should really worry us which calls for proper planning from the department. I really hope that they are going to pull up their socks so that then we can improve on this absorption rate for these projects that touch on local *mwanaanchi*.

My second point is on the issue of pending bills which worries all of us which speakers before me have already spoken about it. I want to take a slightly different angle. During the Governor's address, he clearly gave a plan on how he wants to clear the pending bills hence; I want to urge all departmental committees to find a way of keeping track of these pending bills. More so, the Finance Committee, which should demand for this information during their normal performance review so that then we can be able to know whether the Governor is actually paying the pending bills as per his promise during his address to this House.

Mr. Speaker, I think on the issue of imprests this House needs to pronounce itself strongly and I think it is a high time that one of these accounting officers is surcharged. When you look across all departments, this issue is a menace and the Executive seem not to take seriously. It is an issue that we really need to be strong with because section 95 is very clear. It says surrender within seven days after returning to your workstation so why it is not done, I have never understood. I support Mr. Speaker.

**Mr. Deputy Speaker:** Thank you Hon. John Kennedy Wanyama. We having issues here but let me have Hon. Millia.

**Hon. Milliah Masungu:** Thank you Honourable Speaker to have given me this chance also to talk about our report. First, I want to loud my chairperson who has eloquently moved this report on the floor of the House and highlighted almost everything that we came across during our discussion as a committee.

Hon. Speaker and Members present in this House today, I want to say this; in that report we are trying to stress and bring out a point that all other departments might be going through, the issue of pending bills. It is expressly mentioned in the law, the PFM Act, that it should be the first charge. We are insisting because most of these projects we saw are CEF projects, majority are development projects affecting directly the sons and daughters of Bungoma who may have been contracted to do that work. We see the type of life they are going through, some have been

auctioned; some even lost their contractual works. That is why we are bringing it out as a committee and insisting that those people who have given services to this county must be paid.

As I finish, we are insisting as a committee that the procurement process in this county has derailed all the processes in developing this county. We are lagging behind in many projects; we are getting many staled projects in our wards. We are incurring and entering into huge amounts of pending bills just because of the delayed procurement processes. I want to urge this House and request that every Member should support this report and insist that the procurement process in this county should be fast tracked. We must come up as leaders and see where we are heading to because every development project is delayed as a result of delayed procurement processes. Action must be done to ensure procurement system is up to the task. Thank you Hon. Speaker, I support the report.

*(Applause)*

**Mr. Deputy Speaker:** Thank you so much Hon. Miliyah Nanyokia Masungu, Honourable for Misikhu and Minority Whip. The Hon. Hentry Nyongesa, Member for Bumula.

**Hon. Hentry Nyongesa:** Hon. Speaker I want to echo the sentiments made by the Members over the report.

First, during his reply, I would like the chairperson to clarify on the pending bills because it is highly repetitive. We have been insisting on many occasions that departments should forward their programme based budgets to this House to make interrogations easier. When you look at the item on launching of Trade Loans; the facilitation for vetting is repeating almost three times.

I know Members who represent us on trade loans applied through the department and the number that applied does not warrant the money that was spent during the vetting. It appears like some were just looking at peoples CVs and then they come up with the five members in every Ward. The chairperson should be clear on the funds that were used for vetting of trade loan members because in my opinion, the amount indicated is erroneous specifically on launching and vetting.

I think the chairperson has brought this report for us to rubberstamp this expenditure. I think this is a cash cow for the department. Hon. Ipara indicated that 30 million was allocated for our wards translating to over Kshs. 500 per ward. The disbursement was minimal and looking towards management of the fund is almost superseding what the department disbursed. Therefore, the chairperson should be clear. Are we rubberstamping the expenditure or what are we doing?

Secondly, there is an item also on the recurrent expenditure indicating ground breaking for a facility at Lunakwe in Hon. Sudi Busolo's Ward. He is my neighbor here and I have consulted him if he was aware of this exercise. He was not aware and even he is not aware that the facility appearing here exists. The chairperson should also be clear and clarify this expenditure on ground breaking at Lunakwe.

There is a lot of money being spent on facilitation of stakeholder meetings without indicating specific activities. The chairperson should bring out specific expenditures on stakeholder engagements. In fact in future, we should demand for list of beneficiaries for proper accounting purposes. I support Mr. Speaker. Thank you.

*(Applause)*

**Mr. Deputy Speaker:** Thank you the Hon. Henry Nyongesa, Member for Bumula and Chairperson - Labour Committee. Hon. Isaiah Sudi Busolo?

**Hon. Sudi Busolo:** Thank you Hon. Speaker for giving me an opportunity. I did not want to speak but I have been prompted by a stakeholder held in my ward as indicated in this report. How can trade loan money be again used to facilitate stakeholders meeting for REREC? Don't you think that is misplaced? This is trade loan money, how do you again use it to run a national government program on REREC? I am disappointed because when you go to the National Treasury, you will see again facilitation for stakeholders meeting at Lunakwe on REREC program. I don't see how the County government can facilitate a REREC program, using money that is meant to alleviate poverty in our county. During his reply, the chairperson should shade light because we gave a percentage to be used as administrative fee for this fund. He should give in percentages the amount that went for stakeholder engagements and how much was directed towards the intended purpose.

Look at our contractors I have seen that we have a second supplementary and if you go through it, you will see the affected areas especially pending bills for our local contractors. The contractors for major projects have received their money and I can attest to it. Lunao is working; if you go to Kanduyi stage, they're now back on the site and they have been paid. Same to Kamukuywa market and Brigadier Road. But look at our local contractors. They are going to be auctioned because it's their money that has been mopped to facilitate 2nd supplementary. I want to urge this House not to go that direction. Why should we be used to sacrifice or hang our own people?

On the issue of pending bills; you might have the allocation and we are blaming the CECM or Chief Officer for not paying. Instructions from above are that they should process payment of those pending bills because a supplementary budget is coming. What do they do yet it is your employer that has given those instructions. You can't go against such instructions from your employer and this is what is happening in the County Government of Bungoma. We shall organize the local contractors to strike and demand for their payments. Most of them are going to be auctioned by the banks where they took credit to offer services or supply goods to the county government.

When they follow up on their payments, they are promised that they are preparing a supplementary budget to pay them but when you look at the supplementary, there is no money

allocated for pending bills. Even in the budget for the new financial year, you will realize that they have not allocated sufficient funds to cater for pending bills. The only area that the government is careful and keen is to provide funds towards pending bills on mega projects leaving out CEF projects which are accumulating pending bills yet they are undertaken in our wards.

Let us assist this people so that they also have hope because not all of them can come here to represent themselves. We are people's representatives, exercising delegated power from them. I want to urge this House to rise up and ensure funds are expended on intended purposes. For instance if you have 2 or 3 REREC projects in your ward and the allocation is spent well, it will give you mileage. We allocated Kshs 45 million towards this program but they are unable to spend despite our intentions to allocate more funds under this program so that more areas can benefit. Those are the kind of leaders we have in this county that vetted and nobody opposed their approval and we are harvesting. The good thing is that we still have time and this can be corrected so that we get development to our people.

I want Hon. Kikechi to be re-elected in 2027. I am now serving my second term and I am proud to have been elected twice which is not easy. The Leader of Majority is serving a 3<sup>rd</sup> term and to him, it is just God. For those who want to be elected a 2<sup>nd</sup> time, there is God but you must also have the voters on your side. I walk in my ward head high because I have been elected twice. I rest my case Mr. Speaker. Thank you.

*(Applause)*

**Mr. Deputy Speaker:** Thank you Hon. Sudi. He is walking with his head held high. Hon. Mukhanya, are you requesting to speak?

**Hon. Alfred Mukhanya:** No.

**Mr. Deputy Speaker:** Okay. Let me call the mover to reply, Hon. Wekesa Kikechi, Member for Mbakalo and Chairperson of the Committee.

**Hon. Benard Kikechi (Mover to reply):** Thank you Hon. Speaker. As you have just seen from the ventilations of Honorable Members, this is a key and important report. First of all, I appreciate all the sentiments put forward by the honourable Members. Having listened keenly to the Members submissions, I am in agreement that indeed as a department we need to do more. \

On imprest, when you look at the report the way we have done, it is clear the committee had issues with imprest. As such, in our recommendations, we have given the department a 30 days notice to respond to this issue of un-surrendered imprest to enable us have a conclusive way forward.

On the issue of pending bills, you are even aware from where you are sitting that as an Assembly, this issue of pending bills has been a thorn in this county's operations. As Honourable Members, we have taken concrete steps to address this issue of pending bills. I think they are giving varying pending bills to cause confusion so that they can pay projects that have already been paid. Our insistence that all pending bills must be verified is the right direction we have taken as an oversight House.

Thank you Hon. Leader of Majority for your insights, and your submissions and direction is well noted. I heard you well and you mean well for this committee and as the chairperson of this committee and the entire committee, we note your concerns.

Hon. Nyongesa Hentry, the MCA for Bumula, raised an issue on the 10 million trade loan expenses. He should be aware that we have 3% allocation meant for administration of the fund. Although I agree with him that in the report, they did not indicate the specific items for the 3% administrative costs. We have since directed them as a department that going forward, they should budget separately activities that fall under the 3%.

Otherwise, thank you Members. As a committee, we will strive to put the Executive on check to make sure that this department runs smoothly in accordance to all the laid down rules governing the operations of the department on Trade, Energy and Industrialization. I therefore, urge Honourable Members to adopt this report. Thank you, Mr. Speaker.

**Mr. Deputy Speaker:** Thank you the Hon. Wekesa Kikechi. I now proceed and put the question;

*(Question put and agreed to)*

The report, its observations and recommendations is adopted and the Clerks at the Table will transmit to the relevant offices for their action. Next item?

## **BILL**

BILL FOR AN ACT OF THE COUNTY ASSEMBLY OF BUNGOMA TO AUTHORIZE THE ISSUE OF A SUM OF MONEY OUT OF THE REVENUE FUND AND ITS APPLICATION TOWARDS THE SERVICE OF THE YEAR ENDING 30TH JUNE, 2025 AND TO APPROPRIATE THAT SUM AND SUM VOTED ON ACCOUNT BY THE COUNTY ASSEMBLY FOR CERTAIN SERVICE AND PURPOSES. *(First Reading)*

**Mr. Deputy Speaker:** Honourable Members, the Bungoma County Government 2nd Supplementary Appropriation Bill 2025 having been read for the first time stands committed to the Liaison Committee in the absence of the Budget and Appropriations Committee under Standing Order 140 for processing and reporting back to this House. Next!

## **COMMUNICATION FROM THE CHAIR**

Honourable Members, I have communication which was supposed to be made at the appropriate time but was not made regarding exchange of Honorable Members between committees.

This is to read the above matter refers, that is, Exchange of Honourable Members between Committees.

Reference is made to Standing Order 178 (a) Hon. Franklin Simotwo has been discharged from the Health Committee to Public Administration and ICT Committee while Hon. Dorcas Ndasaba from Public Admin and ICT Committee to Health Committee.

Thanks in advance for your understanding and cooperation on this matter.

Signed by the Hon. Meshack Wekesa Museveni, Majority Whip for the majority coalition.

### **ADJOURNMENT**

**Mr. Deputy Speaker:** Honourable Members, there being no any other business, we shall adjourn and resume tomorrow Wednesday 18<sup>th</sup> June, 2025 at 9:30 a.m.

*The House rose at 4:43 p.m.*