

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY 25TH FEBRUARY, 2026

Morning Sitting

3rd County Assembly

5th Session

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

WEDNESDAY 25TH FEBRUARY 2026

The House met at the County Assembly Chamber at 9:30 a.m.

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

PAPERS

1. REPORT OF THE SECTORAL COMMITTEE ON LANDS, URBAN, FISCAL PLANNING AND HOUSING
ON THE TASKFORCE REPORT ON THE LAND INVENTORY IN BUNGOMA COUNTY 2019

Mr. Speaker: Hon. Johnston Okasida Ipara

Hon. Johnston Okasida (Chairperson Lands): Thank you, Honourable Speaker, I rise to table a report on Lands, Urban, Physical Planning and Housing on the taskforce report on the Bungoma County land inventory 2019. Honourable Speaker, I table.

Mr. Speaker: Honourable Members, the report by the Sector Committee on Lands, Urban, Physical Planning and Housing on the taskforce report on the land inventory in Bungoma County is hereby tabled and formally becomes the property of the House.

2. REPORT OF THE SECTORAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL
RESOURCES ON BWASCO OPERATIONS

Mr. Speaker: Hon. Edwin Opwora

Hon. Edwin Opwora (Chairperson, Tourism): Thank you, Honourable Speaker, I rise to table the report of the Sectoral Committee on Tourism, Environment, Water and Natural Resources on BWASCO operations.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Mr. Speaker: Honourable members, the report by the Sector Committee on Tourism, Environment, Water and Natural Resources on BWASCO operations is hereby tabled by the committee and the same becomes the property of the House.

NOTICES OF MOTION

1. THAT THIS HOUSE ADOPTS THE REPORT OF THE SECTORAL COMMITTEE ON LANDS, URBAN, PHYSICAL PLANNING AND HOUSING ON THE TASKFORCE REPORT ON THE LAND INVENTORY IN BUNGOMA COUNTY 2019

Mr. Speaker: Yes, Hon. Johnston Okasida

Hon. Johnston Okasida (Chairperson, Lands): Thank you Honourable Speaker. I rise to issue a notice of motion that this House adopts the report of the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the taskforce report on the land inventory in Bungoma County 2019.

Mr. Speaker: Honourable Members, a notice of motion has been duly issued by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the taskforce report of the land inventory in Bungoma County 2019.

I urge the Clerks-At-the-Table to have this report shared with the Honourable Members. The same will come up as a motion in the course of this week or early next week. Honourable Members, I will urge that once you have this report, look at it. This is the famous Lawrence Sifuna taskforce report of Bungoma County. If you want to know that your voters have encroached on government land, this is the report. So take time, look at it, it's important.

2. NOTICE OF MOTION BY THE CHAIRPERSON, SECTORAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES ON BWASCO OPERATIONS

Mr. Speaker: Yes, Hon. Edwin Opwora

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Hon. Edwin Opwora (Chairperson, Tourism): Honourable Speaker, I rise to give notice of motion that this House adopts the report of the Sectoral Committee on Tourism, Environment, Water and Natural Resources on BWASCO operations.

Mr. Speaker: Honourable Members, equally, the notice of motion has been issued by the Sector Committee on Tourism, Environment, Water and Natural Resources on BWASCO operations. Equally I direct Clerks-At-the-Table to share this report with the Honourable Members. The same will come up as a motion on our Order Paper in the course of the week or one that's scheduled by the HBC.

QUESTIONS AND STATEMENTS

STATEMENT NUMBER 36, 2025 BY NOMINATED MEMBER HONOURABLE ALLAN NYONGESA, MCA, TO GET A RESPONSE FROM THE CHAIRPERSON, SECTORAL COMMITTEE ON YOUTH AFFAIRS AND SPORTS

Mr. Speaker: Hon. Allan Nyongesa, this is your response from the Committee on Youth and Sports. Honourable Members, you know of late we have simple sanctions; if there's no response from the said committee and its membership, don't expect me to approve your Memo of to go out. If they have a response, they ought to respond, whether it's a chair or a member, they must give us a response. Hon. Dorcas, if you have a response, give it to us. Trying to get your mic.

Hon. Dorcas Ndasaba: Thank you Speaker, here I have the response on the statement raised by Hon. Allan Nyongesa with respect to the contract implementation status of construction of Masinde Muliro Stadium. Honourable Speaker, the Committee on Youth and Sports received a statement sought by Hon. Allan Nyongesa on the implementation status of the construction of Masinde Muliro Stadium on 30th September, 2025. It was referred to the committee pursuant to Standing Order 47 2 (c). I hereby submit a report on the statement sought by Hon. Allan Nyongesa in relation to the contract implementation status of the construction of Masinde Muliro Stadium.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

The Committee wrote to the department on 27th October, 2025, and it responded by written submissions on 3rd November, 2025. The committee reviewed the submissions and had a consultative meeting on 27th January, 2026.

The Committee made the following findings;

1. Total Allocation and amount paid since inception.

Total budget allocation over the period amounted to KShs. 983,254,766 broken down as follows;

I hope the members have this information on their gadgets.

Financial year	Allocation	supplementary	Approved estimates
2018/2019	165,000,000	(95,000,000)	70,000,000
2019/2020	110,016,248	38,328,423	148,344,671
2020/2021	159,295,379	72,255,943	231,551,322
2021/2022	189,116,354	55,036,667	244,153,021
2022/2023	78,205,752	90,000,000	168,205,752
2023/2024	36,000,000	(10,000,000)	26,000,000
2024/2025	23,000,000	72,000,000	95,000,000
Total			983,254,766

From the submissions received, the department had two figures as the amounts paid to the contractor; Kshs. 794,300,799.94 and Kshs. 794,209,242.76, giving a difference of Kshs 91,557. During the interrogations, the department could not substantiate accurately on the correct figure and was required to reconcile the figures and submit on 28th January, 2026. The department later submitted that the total amount paid was Kshs. 744,300,797. 94.

2. Payment certificates

Copies of payment certificates were provided as attached.

3. The current status of the project

The department submitted that the project is 98% complete with 98% of the amount already paid to the contractor. However, there is a significant amount of works pending raising concerns of the completion of the facility.

Some departments are already occupying the offices yet the project remains unfinished; projecting deterioration even before handing over the project.

The committee raised concerns on the pitch as it was not captured under the incomplete works yet it was uneven and the grass was of poor quality. Additionally, the contract had a provision for underground sprinklers yet there is none. The department could not comprehensively comment on this.

Attached are documents submitted on the status of the project.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

4. Timelines and Mechanisms put in place for completion.

The contractor is currently not on site, and the project is overdue, having been scheduled for completion on 16 December, 2025. Additionally, no budget allocation was made for the project in the current financial year.

The department reported that the contractor has been instructed to resume works immediately, with no extension of the contract period to be granted. However, at the time of reporting, this directive is not practically achievable, as the project timeline has already been significantly exceeded. The Department did not provide evidence of communicating to the contractor.

The Committee therefore notes that there have been inconsistencies in the information submitted concerning this facility. Although the facility is already in use and is hosting County Government departmental offices, the project was expected to be completed by 16 December, 2025.

Consequently, the Committee and the owner of the statement expressed dissatisfaction with the response provided. I beg to report. Thank you. Signed by the Hon. Violet Makhanu, MCA Mihuu Ward, Chairperson - Committee on Youth and Sports.

Mr. Speaker: Hon. Allan Nyongesa.

Hon. Allan Nyongesa: Speaker, I want to thank you for this opportunity. Honorable Speaker, as you can see from the response, the committee and myself were not satisfied with the response of the department. Honorable Speaker, why I raised this statement, it is because the department has been giving us inconsistent figures since.

From the inception, you can see the department failed to substantiate the amount paid to the contractor up to date. They are now giving us three figures. You can see the first figure they gave us was 794,300,000 and 794,209,000.

The difference is 91,000,000 after we pinned them down, they went back and now they brought us a figure of 744,000, now they are scaling it downwards.

Now if you take 744,000,000, you subtract from 794,300,000, the initial figure they gave us, you get a difference of 50,000,000. So the department is clearly not able to substantiate the figure they have paid to the contractor up to now.

The second issue that we have been having with the department is the issue of the sprinklers on that field. You can remember the other day, this issue was in the Senate and even the chair of PAC committee asked the Governor if the stadium is complete. The Governor said it is complete, but he

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

asked them is the pitch in use because the main essence as to why we have the stadium is the pitch. Honorable Speaker, from the actual contract of this stadium, the pitch was supposed to be have underground sprinklers.

When we asked them about it, the department is not able to say anything about it, having the Director Works said they have revised the contract. That is when we learnt that we are now having a new contract that has been revised.

That is the second variation they are now doing on the stadium, of which they were unable to present that document to the committee. Honourable Speaker, those issues made us...

Mr. Speaker: Hon. Allan Nyongesa, hope you are conversant with the law governing variation. If they already clocked Twenty five percent of the contract sum, no variation can be allowed on that side. Equally, if they have been able to exhaust the whole amount on the variation plus the contract sum how do they come up with a variation? How do you vary when there is no allocation in the budget?

Hon. Allan Nyongesa: Honourable Speaker, we asked them whether whatever they are revising is downwards or upwards, they said they will bring documents to us, because from what we know, the original contract sum for the stadium was Kshs. 679 million, and a variation was done up to the allowable 25% of the contract sum hence there is no room for further variation.

Honourable Speaker, we are still waiting to hear from them, because now they said there is a revised contract. We are hoping that that revised contract is now downsizing, maybe they are doing away with the sprinklers which was part of the initial contract of the stadium project.

Mr. Speaker: Hon. Allan Nyongesa, did you have a chance to go around that stadium?

Hon. Allan Nyongesa: Yes, we have been there.

Mr. Speaker: Do you see something similar to a stadium?

Hon. Allan Nyongesa: Yes

Mr. Speaker: I have been there and I don't see something similar to a stadium.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Hon. Allan Nyongesa: We have been there several times.

Mr. Speaker: It is not

Hon. Allan Nyongesa: Honourable Speaker, according to the Department, it is 98% done, according to them, but according to us, Honorable Speaker, it is not.

Mr. Speaker: Let me hear the Hon. Dorcas Ndasaba, because what is going to happen here to assist you members, I want those guys to come here, let them come here. Members, not in bad faith, you had a chance to be in Meru. You saw their stadium, and even their parking has cabros or concrete. What you saw and what you are seeing there, are there any similarities? The only thing to cure this mischief, to avoid people running away and avoiding us, I will ask that let us have the concerned officers here.

There are two contractors here, the initial contractor was Lunao and the second contractor is basically from the National Government, so we will start with phase one because that building has phase one and phase two. We can agree and call the man called Lunao to ask him questions, because the last time I heard that he was going to do the finishing and I am told some of the offices are just like those ones of ECDE dust everywhere, and they are offices where people are sitting.

Hon. Dorcas Ndasaba, I want to assist you. I want them to come here. Let me hear you because in your response, you have indicated that you are not satisfied. Was there a need for you to bring it here?

Hon. Dorcas Ndasaba: Thank you, Mr. Speaker. According to my colleague Hon. Allan Nyongesa as he has spoken, we were not satisfied with the response from the Executive. We had discussed that we call them here so that they can explain it because it is something that is going to help the whole county, it's not maybe for the Kanduyi but it's for Bungoma in general. Therefore, we request that you invite them here to come and explain to the Assembly.

Mr. Speaker: Stadium is an interesting area if you do not know; the stadium is in township but on its north-west is Tutii/Marakaru, the other side Khalaba so that is how that area is. It is Khalaba, Township and Tutii/ Marakaru. It's not for their own interest, it's for all of us as a House to have these people here because public money was spent. I remember when Hon. Mulongo was protesting that time they were saying let him keep quiet. Let them come and explain to us because public money was spent.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

You know you can run away from these things but it will come back to haunt some people. Hon. Allan Nyongesa, let me give you a chance to wind up but at the end of the day Honorable Members, let's spare a day in the afternoon have these officers next to Hon. Sudi. I have been told by members of the public that there are no washrooms and water.

Hon. Allan Nyongesa: What you are saying is true. We are aware there are departments that moved in that stadium and Honourable Speaker, the handing over process was not clear. When we asked them about the contractor finishing the remaining works, they said the contractor is not committal because there was no clear handing over process. As you have rightly put Honourable Speaker, toilets are shut down because there is no water. Some offices are not tiled but they are already occupied. Let this House also note that the contract elapsed on 16th December last year. As we speak today, the contractor is not on site and the contract elapsed after it has been extended three times.

As a committee we have tried, we have done our best but we have not actually come up with a better conclusion. We ask this Honourable House, we wash our hands because this matter is already at the Senate.

Mr. Speaker: We are not barred from discussing it; we are first line oversight. Therefore, we will be able to find a way in our calendar and bring those people here to explain so that we understand them and conclude on this issue.

Hon Allan Nyongesa: Yes. It is okay Honourable Speaker. Thank you.

Mr. Speaker: On Thursday 2.00 p.m. session we want sufficient time frame. Honourable members, we want to give them two weeks period to appear on 12th of March, 2026. We want the Chief Officer, the CECM and the Director here including the Contractor and the Works Department officers so that we understand. I once overheard Hon. Mulongo use a funny analogy. If you are in this House and you are a maize farmer if you play with monkeys you will harvest maize stalks. So be very careful here Hon. Mulongo.

Which date? Let's have them on 11th Wednesday at 2: 30 p.m. Jackton let those summons be issued today, get them signed today and send to them. Hon. Dorcas inform your chairperson and any other member that since you are not satisfied with the response, let them come here before the whole House. Hon. Isaiah Sudi hold your horses. You will point out those figures. I think we are done with that issue, we go to next item.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

STATEMENT NUMBER 126, 2026. MEMBER FOR BUMULA WARD, HON. HENTRY NYONGESA MCA TO SEEK THE STATEMENT FROM THE CHAIR PERSON SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAININ

Mr. Speaker: Hon. Hentry Nyongesa, if there are no instructions for somebody to step in for him, we shall strike it out of the Order Paper and take it back to HBC, next. It's 10:05 we commenced our session at 9:30. Next item?

STATEMENT NUMBER 6 OF 2026, MEMBER FOR BUMULA WARD HON. HENTRY NYONGESA MCA TO SEEK A STATEMENT FROM THE CHAIR PERSON SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT

Mr. Speaker: In his absence once again, it is taken out of the Order Paper back to HBC. He is not going to inherit any more from us. Next item?

MOTION

APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH THE MINISTRY OF EDUCATION ON EDUCATION SUPPORT PROGRAM

Hon. Johnstone Ipara: Thank you, Honourable Speaker. I'm encouraged and persuaded to believe that the future is bright and these are derived from your words 'We are the first line of oversight'. Let me proceed.

Pursuant to Standing Order Number 58 of the County Assembly Standing Orders, I beg to move the following motion.

Aware that education is a fundamental right under Article 43.1.(f) of the Constitution of Kenya 2010. Noting that education is a critical equalizer that unlocks opportunities for learners to rise above socioeconomic challenges and achieve their full potential. Further noting that Bungoma County has over the years supported bright and needy students through scholarships and bursaries administered under the Bungoma County Education Support Scheme regulations of 2019. Aware that in 2025 the controller of budget issued guidance suspending the issuance of county-administered bursaries and scholarships unless such programs are implemented through lawful intergovernmental agreements with the Ministry of Education.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Further aware that several county governments acted promptly on this advisory and entered into intergovernmental agreements with the Ministry of Education which were subsequently gazetted including Murang'a gazette notice number 12-863 of 12-09-2025, Mandera gazette notice number 15-220 of 24-10-2025, Nairobi City gazette notice number 15-220 of 24-10-2025, Mombasa gazette notice number 15-229 of 24-10-2025, Kisumu gazette notice number 15-896 of 31-10-2025, Marsabit gazette notice number 15-743 of 31-10-202, Laikipia gazette notice number 15-963 of 7-11-2025, Garissa gazette notice number 15-964 of 7-11-2025, Tana river gazette notice number 18-156 of 11-12-2025, Vihiga gazette notice number 18-153 of 11-12-2025, Nakuru gazette notice number 19-133 of 24-12-2025.

The same gazette notices have been also attached on the forum where all of us are on the plenary and for those maybe that have not had a chance to have it, I have a copy here and a copy has been also been given to you.

Concerned that Bungoma County has not allocated funds for the bursaries and scholarships in the financial year 2024-2025 and 2025-2026 thereby, leaving vulnerable learners without support and widening inequities compared to other Counties. Despite the Controller of Budget guidance, which encouraged counties to regularize such programs through lawful agreements with the Ministry of Education.

Further concerned that the absence of a County bursary and scholarships program has contributed to increased school dropout rates, over reliance on National Government Constituency Development Fund support and governance concerns arising from inaction despite the existence of a clear legal framework. Cognizant that Section 26 of the Intergovernmental Relations Act 2012 provides that a County Government may enter into an agreement with the National Government or another County Government for the performance or delivery of a function or service.

Now therefore, this House resolves to compel the Governor of Bungoma County to urgently initiate and conclude an intergovernmental agreement with the Ministry of Education, pursuant to the Intergovernmental Relations Act 2012, to enable the lawful administration of bursaries and scholarships within the County and direct the County Executive Committee Member for Finance and the County Treasury to provide for dedicated allocations for the bursaries and scholarships in the financial year 2026-2027 budget estimates to be submitted alongside the County Fiscal Strategy Paper scheduled for tabling on or before 28 February, 2026.

I move and I now call upon our respected lawyer and former Chair of Education Hon. Benjamin Otsiula to second this motion.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Mr. Speaker: Hon. Ipara, I have a problem with the last words of your motion. They are misleading. Number two, just to clarify members, this is not a committee's motion. It's a private Member's motion. Don't wait for a quorum from education or from budget. It's a private Member's motion. So don't look for people from the Education Committee or Finance to support it. It's for the whole House.

Hon. Johnstone Ipara: Honourable Speaker, I'm guided.

Mr. Speaker: Now look at the last words of your motion. The second last is "*direct the County Executive Committee Member*" It's what the confusion is.

Hon. Johnstone Ipara: Honourable Speaker, I stand to be guided by you and that's why you are here as our guider.

Mr. Speaker: Why I'm saying so, the budget estimates of this financial year will be brought on or before 30 April this year.

What we do when approving the County Fiscal Strategy Paper is to set ceilings. You are asking that when they submit the County Fiscal Strategy Paper by 28th of this month they must factor in. Do you see a problem Members?

Hon. Johnstone Ipara: In the budget estimates.

Mr. Speaker: No. Subsequently the budget because then you are tying on 28th of February.

Hon. Johnstone Ipara: Honourable Speaker, we can delete the last two sentences and end at 26, 27 budget estimates. If accepted.

Mr. Speaker: Honourable Members, I hope you are being guided properly because there are two documents we are talking about. The county fiscal budget paper sets the ceiling of departments. Then subsequently the budget estimates now must be able to carry that what you are saying. CPA, you failed here. You did not provide proper guidance.

Hon. Otsiula, let me assist Hon. Ipara. I will go to the next motion and come back to this one using Standing Order 58(b), amendment of the notices of motion. You are allowed under the law. If you have done it, then let me have the version you have so that I record here.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Direct the County Executive Committee Member of Finance and Economic planning to provide a dedicated allocation for bursary and scholarship.

Hon. Johnstone Ipara: Honourable Speaker, after consulting opinion leaders and those with wisdom I am guided that we change it.

Mr. Speaker: Are you alleging that Hon. Masaai is a man of wisdom?

(Laughter)

Kindly assist him so that we are able to have a clear picture there. Honourable.

Hon. Francis Chemion: I propose that we go with what you had said.

Mr. Speaker: We go to the next motion and allow Members to panel beat and even need be go to the computer and change the writer properly and bring it in a proper way. Hon. Everlyne Anyango the consultation is loud now I am seeing why. Proceed. Let us have the next item.

MOTION

REPORT OF THE SECTORAL COMMITTEE ON TRADE, ENERGY AND INDUSTRIALIZATION ON THE CONSIDERATION OF FINANCIAL STATEMENTS FOR THE DEPARTMENT OF TRADE, ENERGY AND INDUSTRIALIZATION FOR THE PERIOD ENDING JUNE, 2025

Mr. Speaker: Yes Hon. Florence I will not report you but can you first and foremost be able to get the quorum verified first?

Honourable Members, I am not delegating my duties to anybody. I am the one to do the verification. Hon. Kikechi, John, Mutiembu, Martin Chemorion, Mukhanya, Hon. Kikechi! Hon. Nangulu, Hon. Catherine, I wonder why you do that. It is me verifying that. Hon. Florence herself, Kirui, Katila, Linda, Bosire. We count people are physically here. Not those ones who have gone to the washroom. Hon. Chemion is not part of this report. Hon. Kikechi, now he has averaged your problems.

Now, Florence, you proceed.

(Applause)

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Hon. Florence: Thank you, Honourable Speaker.

Mr. Speaker: But Hon. Allan and Hon. Chemion are not part of your committee up to this. Yes Hon. Tim...

Hon. Timothy Chikati: Honourable Speaker, Hon. Bosire is not properly dressed, so he does not count in this committee. Let him come and stand here. He is not properly parliamentary dressed under Standing Order 96 (1).

Mr. Speaker: Honourable Members, when you see him here, he may not be having... I have been with Bosire in my chamber and he explained to me the challenges he is having. So he is here with my permission.

(Applause)

Hon. Timothy Chikati: But Honourable Speaker, he is not properly dressed. He is not properly dressed. He is not wearing socks.

(Loud consultations)

Mr. Speaker: Yes. Honorable Members...

(Laughter)

Order Honourable members! Order! I do understand the challenges that Hon. Timothy Chikati faces. You know, when you're not properly exposed, those are all socks. He may be wearing them because he's having some injury up there that may be able to affect him when he put on full socks. So, he's properly dressed and I've been with him in my chamber on consultation. Let's proceed.

(Applause)

If Hon. Chikati was looking for an excuse to run away from this House, he has failed. Hon. Florence, proceed.

Hon. Florence Juma: Thank you, Honourable Speaker.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Mr. Speaker: Order Members, allow Hon. Florence to move the motion of the committee.

Hon. Florence Juma: Thank you, Honourable Speaker.

Mr. Speaker: Anything else, Hon. Jeremiah and Hon. Waiti want to tell me, tell me after this motion.

Hon. Florence Juma: Thank you, Honourable Speaker. I'm here to move a motion of the report on the financial statements for the Department of Trade, Energy and Industrialization for the period ending 30th June, 2025.

CHAPTER ONE

Preface

In line with the mandate provided under Standing Order 217(5) (b), the Committee on Trade, Energy, and Industrialization is charged with the responsibility of examining quarterly reports and financial statements submitted by the departments under its purview. This responsibility is critical in ensuring transparency, accountability, and effective oversight in the management of public resources.

The Quarterly report and financial statements were tabled in the County Assembly on 9th September, 2025 subsequently committed by the Hon. Speaker to the Committee for review, input, and recommendation through a formal report to this Honorable House.

The relevant department of Trade Energy and Industrialization was invited to appear before the committee within the precincts of the County Assembly of Bungoma via a letter referenced **CAB/ADM/6VOL.V (177)**. The Committee conducted its interrogation on 1st October, 2025 at 11:00 a.m., after which it compiled a comprehensive report for the House's consideration. This report therefore, presents the findings, observations, and recommendations of the Committee following its interrogation of the Quarterly Report and Financial Statements for the period ending 30th June, 2025.

The Mandate of the Committee

The Trade, Energy and Industrialization committee was established on 26th October; 2022 in accordance with Standing Order No.179.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

The mandate of the Committee is derived from Standing Order 217 (5) and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010.

The functions of a Sectoral Committee shall be to;-

- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Consider quarterly reports of the assigned departments and report to the house within Twenty-one sitting days upon being laid
- (c) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- (d) Study and review all county legislation referred to it;
- (e) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (f) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- (g) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 208 (Committee on Appointments); and
- (h) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation

Committee Membership

The following is the committee membership as currently constituted;

1. Hon. Benard Kikechi	Chairperson
2. Hon. John Wanyama	Vice Chairperson
3. Hon. Everlyn Mutiembu	Member
4. Hon. Martin Chemorion	Member
5. Hon. Kimeta Polycarp	Member
6. Hon. Alfred Mukhanya	Member
7. Hon. Charles Nangulu	Member
8. Hon. Eunice Kirui	Member
9. Hon. Florence Juma	Member

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

10. Hon. Mourine Katila	Member
11. Hon. Brigid Katasi	Member
12. Hon. Lindah Kharakha	Member
13. Hon. Aggrey Bosire	Member
14. Hon. Angeline Rugut	Member
15. Hon. Alice Kibaba	Member

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

In the execution of its mandate, the Committee on Trade, Energy & Industrialization is given a legal backing under the Constitution of Kenya 2010, Public Finance Management Act, 2012, and County Governments Act, 2012. These statutory provisions include:

1. Constitutional Principles on Public Finance

Article 201 of the Constitution of Kenya, 2010 enacts fundamental principles that “...*shall guide all aspects of public finance in the Republic...*” These principles include, *inter alia*, that: **201(a)** *There shall be openness and accountability, including public participation in financial matters;* **201(d)** *Public money shall be used in a prudent and responsible way;* and **201(e)** *financial management shall be responsible, and fiscal reporting shall be clear.*

Section 149(1) (a) and (b) of the PFM Act 2012 provides as follows... “*an accounting officer is accountable to the County Assembly for ensuring that the resources of the entity for which the officer is designated are used in a way that is;*

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

2. Direct Personal Liability

Article 226(5) of the Constitution of Kenya, 2010 is emphatic that “*If the holder of a public office, including a political office, directs or approves the use of public funds contrary to law or instructions, the person is liable for any loss arising from that use and shall make good the loss, whether the person remains the holder of the office or not*”.

3. Obligations of Accounting Officers

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

- 1. An accounting officer for a county government entity shall prepare a report for each quarter of the financial year in respect of the entity.*
- 2. In preparing a quarterly report for a county government entity, the accounting officer shall ensure that the report—*

Version 00

Revision 00

Disclaimer: *The electronic Version of the Official Hansard Report is for information purposes only.*

A certified Version of this report can be obtained from the Hansard Editor.

- (a) contains information on the financial and nonfinancial performance of the entity;
and
(b) is in a form determined by the Accounting Standards Board.
3. Not later, than fifteen days after the end of each quarter, the accounting officer shall submit the quarterly report to the County Treasury.
4. Not later than one month after the end of each quarter, the County Treasury shall—
(a) consolidate the quarterly reports and submit them to the county assembly;
(b) deliver copies to the Controller of Budget, National Treasury and the Commission on Revenue Allocation; and
(c) publish and publicize them

Acknowledgement

On behalf of the committee, I extend our gratitude to your Office and the Office of the Clerk for the invaluable logistical support during the Committee meetings and for efficiently facilitating our report writing exercise. I commend the members of the Committee for their active participation and meaningful contributions throughout the engagements. I equally acknowledge the secretariat for their meticulous coordination, planning, and preparation of this comprehensive report.

Lastly, I acknowledge the cooperation of the departmental officials who provided valuable information and clarification during the interrogation process.

The Committee thoroughly reviewed the quarterly reports and financial statements, made key observations and findings, and set forth its recommendations as outlined herein.

It is, therefore, my distinct honour and privilege to present to this Honorable House the report of the Committee on Trade, Energy, and Industrialization on the Quarterly Report and Financial Statements for the period ending 30th June 2025 for consideration and adoption.

Signed by Hon. Benard Kikechi MCA Mbakalo Ward Chairperson, Trade, Energy & Industrialization Committee.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

CHAPTER TWO

EXPENDITURE ANALYSIS

Trade Energy and Industrialization FY 2024/25.

The total approved budget for the Department of Trade, Energy, and Industrialization for the 2024/25 financial year, as per the First Supplementary Budget, amounted to Kshs. 656,762,998. This comprised of Kshs. 77,943,739 allocated for recurrent expenditure and Kshs. 589,854,577 for development expenditure.

Budget Absorption

The total expenditure budget for the period under review was Kshs 334,039,059 (Kshs. 58,821,637 recurrent and Kshs. 275,217,422 development) representing 51% total budget absorption. The submission from the department puts the expenditures at a slightly higher value of Kshs. 336,138,537 with the variance of Kshs. 2,099,478 being from the development vote.

Budget execution by classification

Out of the Kshs. 77,943,739 allocated for recurrent expenditure, a total of Kshs. 58,821,637 representing 75% of the allocation was spent across the following budget votes:

a) Personal emolument

Personnel emolument including Basic salary, personnel allowances and Employer contributions to pension had an allocation of Kshs. 36,505,548 with an absorption of Kshs. 33,085,973. This absorption represents 91% of the salary vote.

b) Utility supplies

Utility supplies, which include electricity expenses, were allocated Kshs. 3,062,814, with an expenditure of Kshs. 3,010,679 (98%). This expenditure comprised KPLC electricity bills amounting to Kshs. 3,000,398 and Bwasco water bills totaling Kshs. 10,281.

c) Communication Supplies

Communication Supplies and Services with an allocation of Kshs. 96,000 had an expenditure of Kshs. 18,300 which is 19% of the vote. The allocation was used for repairs and maintenance of water connectivity.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

d) Domestic Travel and Subsistence

Domestic Travel and Subsistence with an allocation of Kshs. 5,213,660 had an expenditure of Kshs. 1,910,575. (37%). The department indicated that the following activities were financed under the aforementioned vote.

- i. Office operations -Kshs. 400,000
- ii. Air travel services (African Touch Safaris) -Kshs. 360,000
- iii. Facilitation to attend Industrial week - Kshs. 184,000
- iv. Induction course at KSG – Kshs. 137,600
- v. Cabinet retreat – Ksh.248,400
- vi. Workshops and Seminars – Kshs. 580,575

e) Printing, Advertising and Information supplies services

Printing, Advertising and Information supplies services with an allocation of Kshs. 650,000 had an expenditure of Kshs. 75,000 which represents 12% of the vote. The department utilized the allocation specifically for the design and printing of roll-up banners at Sarufi Book Centre Enterprises.

f) Training

Training expenses with an allocation of Kshs. 1,187,740 had an expenditure of Kshs. 209,200 (18% absorption). The department spent Kshs. 138,000 on ICPAK tuition fees for two officers and accommodation allowance of Kshs. 72,100 for a weights and measures officer who attending a conference.

During interrogation, the Committee sought clarification on the low absorption rate under the training vote. In response, the Chief Officer explained that while most officers in the department had undergone training during the period under review, their payments had not yet been processed. The requests for payment are annexed to this report. (**Annex 1**).

g) Hospitality

Hospitality with an allocation of Kshs. 6,828,033 had an expenditure of Kshs. 4,943,880 (72%). The following were the activities funded under this vote;

- Stakeholders' engagement on value addition – Kshs. 2,143,820
- Conference services at Divine Homes Resort – Kshs. 955,100
- Conferences/meetings- council of governors – Kshs. 818,200
- Preparation of Ward Based BQs – Kshs. 620,000
- Ground Breaking of Energy Centre – Kshs. 406,760

h) Insurance expenses**Version 00****Revision 00**

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Insurance expenses with an allocation of Kshs. 912,960 had an expenditure of Kshs. 900,000 (99% absorption) paid to Better line Insurance Agency.

i) Office General Supplies and services

Office General Supplies and services with an allocation of Kshs. 1,948,000 had an expenditure of Kshs. 1,122,830 representing 58% of the vote. The committee was informed that the allocation was utilized for the procurement of computers and office stationery, as detailed below:

- Maysarah General Supplies Company – Kshs. 340,000
- Lamnas Investors Limited – Kshs. 283,230
- Madgadi Solutions – Kshs. 499,600

j) Fuel oil and lubricants

Fuel oil and lubricants with an allocation of Kshs. 3,184,000 had an expenditure of Kshs. 3,184,000 paid to Web mar Investments Limited.

k) Other operating expenses

Other operating expenses with an allocation of Kshs. 1,553,900 had an expenditure of Kshs. 11,200 (1% absorption) paid to ICPAK for Membership Renewal.

l) Routine maintenance of motor vehicles

Routine maintenance of motor vehicles had an allocation of Kshs. 1,684,084. The department utilized Kshs. 350,000, which was paid to Wape Garage, representing 21% absorption.

m) Routine maintenance – Others Assets

The above vote had an allocation of Kshs. 10,050,000 and the department utilized Kshs. 10,000,000 representing 99.9% absorption. This amount was used to settle outstanding electricity bills for streetlights across the county.

n) Research and feasibility studies

Research and feasibility studies (Industrialization) with an allocation of Kshs. 5,000,000 recorded NIL absorption. However, the Chief Officer explained that the department carried out activities under this vote but no payments were made. A payment request of Kshs. 3,978,800 was submitted to the Treasury but was not honored due to the lack of exchequer releases. The activities carried out under this vote include the following:

- Consultancy services for preparation of the CAIP Master plan – Ksh.3,978,800

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

- Consultancy Services for preparation of the CAIP Feasibility Study -Kshs. 2,840,000 that was awarded before budget cuts in the 1st supplementary budget.

It was highlighted that lack of payment led to the low absorption as observed under research and feasibility studies vote.

o) Purchase of office furniture

Purchase of office furniture with an allocation of Kshs. 67,000 had NIL absorption. The allocation was meant for the procurement of printers, computers, and other IT equipment, and not the acquisition of furniture, as erroneously stated in the report from Treasury.

Development Expenditure Analysis

Under Development expenditure with an allocation of Kshs. 589, 854,577 the department presents absorption to the tune of Kshs. 275,217,422 (47%) for the following programs, namely;

a) The Bungoma County Trade Loan Fund

Trade loans had an allocation of Kshs. 30,963,496, with an expenditure of Kshs. 20,822,845 recorded. During the period under review, the department submitted an expenditure of Kshs. 22,922,323, resulting in a variance of Kshs. 2,099,478. The County Assembly of Bungoma (Controller of Budget) report further states that the Regulation establishing the Trade Loan had expired, and therefore, it cannot approve any withdrawal requests to support the operations of this lapsed fund.

The department clarified that it is the lifespan of the Fund that has lapsed, not the regulations. The Chief Officer emphasized that the department intends to seek the House's approval for a two-year extension period to enable the continued operation of the Fund as advised by the Controller of Budget and the Auditor General. The department also assured the committee that it will embark on establishing an Act and other legal requirements to legalize the existence of the Fund. Regarding the variance of Kshs. 2,099,478, it was explained that this amount represents the initial balance in the Trade Loan account.

Loan recoveries

During the period under review the department was able to recover Kshs 3,139,516 from staff as follows.

Table: Staff loan recovery

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

MONTH	AMOUNT
August, 2024	416,938.00
September, 2024	378,779.00
October, 2024	338,508.00
November, 2024	338,508.00
December, 2024	325,511.00
January, 2025	270,040.00
February, 2025	260,718.00
March, 2025	260,718.00
April, 2025	232,475.00
May, 2025	175,229.00
June, 2025	124,840.00
TOTAL	3,139,516.00

The above recovery attracted an interest amounting to Kshs 156,108. It was noted that out of the 188 staff who had borrowed the loan, 187 had cleared their balances, except for one who had arrears amounting to Kshs. 7,000; deductions are still being made to recover this amount. (Annex II)

During the period under consideration, the fund incurred a total of Kshs 359,450 for allowances of the vetting and appraisal committee at the ward. Kshs 97,500 relates to expenses incurred during quarterly County Trade Development Loan Fund committee meetings.

With regard to data validation of loan borrowers, the department has been unable to carry out the exercise due to the lack of allocation to pay the system vendor. The 3% administrative fee is insufficient to cover the vendor's fees. However, the Chief Officer proposed that during the First Supplementary Budget, the department will prioritize allocating funds to settle the vendor.

b) Ward Based projects

Ward Based projects with an allocation of Kshs. 58,002,932 had NIL absorption. Submission from SPCU on status of Ward Based project reveals an expenditure of Kshs. 2,995,331.55

The department informed the committee that although most of the ward projects had been completed, no payments had been made.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

c) Other infrastructure and civil works

• Kamukuywa market

Other infrastructure and civil works (Kamukuywa market) with an allocation of Kshs. 201,535,576 had an expenditure of Kshs. 112,580,307 (50%).

The committee noted that construction of Kamukuywa market had low absorption as opposed to the approved allocation. The department highlighted that the project contractor delayed raising duly supported payment certificates leading to low absorption.

Additionally, the Chief Officer informed the Committee that a variation claim amounting to Kshs. 92,480,684, relating to the scope of work for the construction of the market, had been submitted. However, upon review, the department approved Kshs. 59,000,000, which will be allocated once funds are available.

Further, the committee noted that the contract began on 26th June, 2023 and expired on 30th June, 2025. The Committee was informed that the project manager had submitted a request for a 52-week extension from 30th June, 2025, citing irregular payment schedules from the County Government as the reason. The request is currently under review, and the department assured the committee that it will conduct a site visit to assess the progress of the work before making a decision on the extension.

REREC

REREC with an allocation of Kshs. 45,000,000 had an absorption of Kshs. 3,000,000. Report from the treasury highlighted that the department submitted NIL expenditure on this vote.

During interrogation, the department stated that Kshs. 45, 000,000 was erroneously captured. The REREC allocation captured was done in FY 2023/2024 and used to install transformers during the first phase. Further, the Kshs. 3,000,000 was used to clear a negative balance which came about after budget cuts during the 1st supplementary budget incurred on purchase of electrical materials.

• Purchase of lighting equipment

Purchase of lighting equipment with an allocation of Kshs. 15,033,314 had an absorption of Kshs. 14,172,060.

• County Aggregated Industrial Park

County Aggregated Industrial Park construction with an allocation of Kshs. 194,548,890 had an expenditure of Kshs. 155,162,934.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

With regard to progress, the department stated that the current completion status of the CAIP stands at 55%. The Committee was informed that the contract terms expired on 24th August, 2025; however, the contractor had requested an extension of time to complete the project.

Pending Staff receivables

The outstanding imprests in the department as at 30th June, 2025 were nine with a total sum of Kshs.3, 893,180. The Department submitted Kshs. 1,594,800 from four officers. During interrogation it was observed that all the staff imprests had been surrendered as attached. **(Annex III).**

Accounts Payables.

As at 30th June, 2025, the accounts payables for the department were Kshs. 62,055,463 under development and Kshs. 21,166,574 recurrent. Accounts payables had an allocation of Kshs. 13,917,051 under Trade for Ward Based Projects and Kshs. 11,035, 318 under Energy.

During the financial year under review, the department paid Kshs. 15,100,979 development payables and Kshs.15, 017,275 recurrent payables leaving a balance of Kshs. 46,954,484 development and Kshs. 6,149,299 recurrent payables. **(Annex IV)**

Local Revenue

Following the cabinet resolution on decentralization of revenue collection from each department through an Executive Order No.1 by H.E the Governor, the department confirmed that it had been assigned the following revenue streams:

- Market fees
- Single business permit/Trade license
- Market stalls rent
- Weight and Measures fees

However, from the aforementioned only the weights and measures stream was realized and operationalized. The remaining three streams are still under the revenue enhancement committee. During the period under consideration the weights and measures section realized a local revenue of Kshs. 1,141,430 against a target of Kshs. 2,877,531 (40%).

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

The Chief Officer further notified the committee that the Weights and measures section currently faces human resource challenges since the only officer attached to it retired.

CHAPTER THREE

OBSERVATIONS AND RECOMMENDATIONS

Hon. Speaker,

This chapter presents the Committee's key observations and recommendations arising from the interrogation of the quarterly reports and financial statements for FY 2024/2025.

Committee Observations

The committee observed as follows;

1. **THAT**, only 51% of the total budget was absorbed (Recurrent: 75%, Development: 47%), indicating significant under-utilization of funds, particularly in development expenditure. Additionally, several vote heads recorded extremely low absorption rates due to non-payment by the Finance department. These vote heads include;
 - i. Research and Feasibility Studies (0%)
 - ii. Training (18%)
 - iii. Domestic Travel (37%)
 - iv. Other Operating Expenses (1%)
2. **THAT**, discrepancies were noted between reports submitted by treasury and the department on Account payables, REREC and Trade Loans votes.
3. **THAT**, accounts payables amounting to Kshs. 53,103,783 remains unpaid. Some projects (e.g., Ward-based projects) have been completed but remain unpaid.
4. **THAT**, only 40% of targeted local revenue from Weights and Measures was realized. Other streams (Market Fees, Trade Licenses, Stalls fees) were still under the revenue enhancement committee.
5. **THAT**, the Weights and Measures section currently lacks personnel which hampers its ability to effectively carry out its duties.
6. **THAT**, although there was money in the Special Purpose Account for CAIP, the progress of its construction was slow and the contract term had also expired and the contractor had sought for extension.
7. **THAT**, despite there being a full allocation of Kshs. 201,535,576 for completion of Kamukuywa Market, the expenditure was Kshs. 112,580,307. A request for extension

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

of time and a variation claim with regard to construction had been raised pending approval.

8. **THAT**, the Bungoma County Trade Loan Fund has lapsed, and the department intends to seek a two-year extension while it works on developing legislation to formalize the fund.
9. **THAT**, all officers within the department had fully surrendered their imprests complying with the Public Finance Management Act.

Committee Recommendations

The following are the recommendations of the committee.

1. **THAT**, the department should enhance project planning and execution timelines to ensure better utilization of development funds. The department of finance should process payment promptly. The department should also conduct a review to identify systemic issues (e.g., delayed payments, procurement bottlenecks). Further, clear timelines and performance indicators should be developed to track execution and spending against each vote head.
2. **THAT**, Department and Treasury should always harmonize their financial reports before submitting to the County Assembly for scrutiny.
3. **THAT**, the department should prioritize the settlement of pending bills in compliance with Regulation 55(2)(b) of the Public Finance Management (County Governments) Regulations, 2015, which states that “*all pending bills shall be budgeted as a first charge*,”. Similarly, the department should report the status of all account payables to the committee within 30 days from the date of adoption of this report.
4. **THAT**, the department should fast-track recruitment and deployment of qualified personnel to the Weights and Measures section to ensure efficient service delivery. This process should be initiated immediately and a progress report be submitted to the committee within 30 days from the date of adoption of this report.
5. **THAT**, the CECM should Fast-track operationalization of the remaining revenue streams through collaboration with the Revenue Enhancement Committee and submit a status report to the committee within 60 days from the date of adoption of this report.
6. **THAT**, the department should expedite any necessary contractual extensions for Kamukuywa market and CAIP, and ensure that construction activities are accelerated. A revised implementation plan should be submitted to the committee within **30 days** from the adoption of this report.
7. **THAT**, the CECM should fast-track the request for extension of the Bungoma County Trade Loan Fund and report to the committee within 14 days from the adoption of this report. Similarly, allocation to pay the loan management system vendor to aid data validation of loan borrowers should be prioritized during budget preparation.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Attached is the adoption schedule signed by all Members and annexures 1-4. Allow me to call Hon. John Kennedy Wanyama to second!

(Applause)

Mr. Speaker: Thank you Hon. Florence for moving the report. Hon. Ken, you have the honor of seconding the committee's report.

Hon. John Kennedy Wanyama: Thank you Hon. Speaker. I rise to second a report on the Financial Statement for the department of Trade, Energy and Industrialization for the year ending 30th June, 2025. Various issues have been raised in our report and in my secondment I would like to make a few highlights.

The Bungoma County Trade Loan Fund was established in December 2014 and this fund was established with a fixed lifespan of 10 years. It's important to note that the lifespan of this fund has since expired and so we urge the department to ensure that they seek an extension of this fund so that the people of Bungoma can continue benefitting from it.

Secondly, we also note that ward based projects for the year under review had an allocation of Kshs. 58,000,000 and it only saw an expenditure of 2.9 million which is a very low absorption rate.

This is surprising because most of the markets in this wards are actually in darkness and so it does not make a lot of sense when we appropriate resources and the same is not absorbed on time and the markets still remain in darkness.

We have also noted that several ward projects have also been completed and they remain unpaid to date. The department needs to fast track this issue of pending bills in compliance to regulation 55 (2) (b) of the Public Finance Management Act 2012 so that these contractors that have actually completed their works are paid.

The County aggregated industrial parks, the status of these project is at 55 % and yet there is actually over 150 million in the special purpose account. As a committee, we have been very concerned with the capacity of this contractor because one, while this contract was supposed to have been completed in August 2025, the contractor was not able to finalize the project.

He actually requested for an extension to complete the project in January 2026 and he was actually not able to complete the project. As we speak, there is another request for an extension of a further six months. As a committee we are worried that even within these six months, this contractor may not be able to complete this project and so we want to urge the department that as they advertise these projects, they need to do proper due diligence so that

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

they can get contractors that have capacity so that projects can be able to be finalized on time so that they can serve the residents of Bungoma County. I second.

Mr. Speaker: Honorable Members, I wish to thank Hon. Ken for seconding the motion of the committee and allow me be able to propose a question for debate;

(Question proposed)

Hon. Sudi Busolo!

Hon. Isaiah Sudi: Thank you Honorable Speaker for giving me this chance. Just like the report of Youths and Sports, this is also another white elephant because look at the extensions, requesting for more time. I wish you could combine that the CEC, Chief Officers and other senior staff also appear before this House and shed light on these projects because as a member of Budget committee if you look at the allocation, even the variation, they are beyond. Why should they seek for six months when we allocated?

This House has been passing budgets for these projects. There was a full budget and indeed it was said that what has been allocated is enough to complete the project by January this year like the Kanduyi market Bus Park/market. If someone is seeking for more time and that is six months and as a House the electioneering period is coming, someone wants to dilute because our attention by that time will be on something else. We shall not be so keen on some of these issues.

I request that you combine so that we get to the bottom of this issue when they appear here, they prepare because you see a lot of money has been spent and the value for these projects is key because they are supposed to serve our people. As a County Government, we have no single mega project that we can show and say we have completed this. We thought that this markets will give our government a good name or image and now that we keep on pushing ahead unless we are of the opinion that another government will come and complete.

If indeed we want to complete, we must think the other way round. Otherwise, I support the report and also look at the lights if you see other Governments like Kakamega, it had a partnership with REREC, both electricity and solar are in all the markets. I want to ask the Chairperson - Trade Committee because if you listen to our local media in the morning or any time, there are so many cries about lighting on our markets.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

If there is a department that people complain day and night, it is Trade because of the lights that at 6.00 people are supposed to close businesses and go home because there are no lights. So, I want to urge the department to urge the committee that they look into that because at the moment most people want to operate up to late but people are not able to do business because of lack of electricity or solar.

Even solarizing, our market is a problem and something funny is that when you allocate money, I do not know who has authority to authorize that now this department will utilize this, will not go beyond this.

In fact it is making us look useless as we pass the budget.... Then the same budget is someone restricted expenditure somewhere. He curtails, departments cannot use it. If you go into some of these departments, there are no chairs, you have nowhere to sit and yet we have been putting money for furniture and computers. They do not have those computers. If you make a follow-up you will see they do not have even a single new computer that has been purchased.

It is a difficult scenario but my request; because for Kamukuywa, Kanduyi and Kipsigon projects, I think the County Government is also doing Kipsigon; let us have the executive here and interrogate them because the variation is beyond 25%. Even if they are asking for six months, where will they get the budget? Do we have a budget after extending, accepting to extend. Is work ongoing? I rest there but those are my concerns.

(Applause)

Mr. Speaker: I will have Hon. Nganga to make brief remarks but the mover of the motion, look at page 14 of your report. I am just concerned like Hon. Sudi that they are seeking an extension of 52 weeks. That is one year extension so, I do not know where these six months are coming from. From the report, 52 weeks is one year report. Equally, can you extend a contract when the contractor is not on site? You cannot. Yes, Hon. Nganga!

Hon. Everton Nganga: Thank you Hon. Speaker for giving me a chance to contribute towards this motion as moved by Hon. Florence. I am concerned with the issue of Trade Loan Fund. Trade loan was a noble idea that was initiated by the first Governor who is the current Governor of this County Government of Bungoma His Excellency Hon. Makelo Lusaka.

A fund to my understanding is a growing concern and it has limited period of time. The period can only be extended if the services that were being provided by the fund were actually benefitting the individuals or citizens for the County. It had a limited period of 10 years and within 10 years, we discovered that monies that were being disbursed to the citizens were not

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

collected. You discover that there is a lot of money that is still in the hands of the citizens of Bungoma County which means the administrator of this fund failed to collect and if he failed we now wonder how will this fund be considered as a growing concern.

It's a big problem. They have requested in the report that we extend. When you go back to the budgets of 2023/2024, 2024/2025 you discover that in most cases this department had been allocating money to this fund, around 106 million. I remember well when you go back and check but at the end of the Financial Year you discover that the department could not even issue out this money. This monies were just being dumped in that fund just to balance the budget. When they exhaust monies from different votes again now they vire, they remove monies in that fund then fund other activities that are priorities to the individuals of the County.

It is hard and I was in the Senate over the same. The Senators commended that actually the fund should not continue existing. What is required is just to continue collecting monies that had been issued to the citizens of Bungoma then take it back and it can only continue when monies are recovered from those people that were given.

I am looking at the Kamukuywa market and other projects. In 2024 when we were preparing for Madaraka day there was a supplementary budget that was brought here that we are supposed to complete Kamukuywa market and monies were allocated.

I remember well, monies were allocated to Kamukuywa market that we were supposed to complete the President was coming, actually it was done. Issues of planting flowers in Bungoma County were there. Again when you hear that that the National Government is taking over, I fail to understand. Does it mean that we have a co-funding?

Mr. Speaker: Hon. Nganga, you want the HANSARD to record hearsay? That you hear; it cannot be part of...

Hon. Everton Nganga: You know Honorable Speaker, the reason I am saying that, up to this time that project is not complete and we have been allocating money and at that time they were saying that the National Government will also fund. I am wondering why is it that that project has not come to completion?

Mr. Speaker: I am trying to get this issue from Hon. Chemion Maasai. Last year before we did the main budget, there was supplementary and if you remember in our Kamkunji meeting I asked two questions, if you give the Kshs. 50,000,000 to Bungoma Bus Park and 50,000,000 to Kamukuywa market will it be sufficient to have the market completed. We were told in

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

affirmative it will complete. Hon. Chemion you agree with me that there was such a statement from the Governor and his team. Now they were given and we are here so the committee and the department owes you good reasons.

Hon. Everton Nganga: Thank you Hon. Speaker for that guidance. It is my request and you will actually pronounce yourself in the House. Let us invite the CECM and the Chief Officer for that department. Let them come in this House to shed light on how this project will be completed. Monies were allocated, did you complete, why, what made you not to complete the market or who is having the authority to make sure that this project is supposed to be completed?

(Applause)

Mr. Speaker: Hon. Bernard Kikechi!

Hon. Benard Kikechi: Thank you Honorable Speaker. I also rise to first of all laud the mover of the motion Honorable Florence and the seconder who is the Vice chair of the committee Hon. Ken Wanyama.

When you even look at the report, the way we captured the issues in that department, I agree with the full observations as a committee. The department of Trade, Energy and Industrialization is one of the biggest and largest departments in this County Government of Bungoma but when you see the way the department is being run, it has a lot of challenges.

As a committee, we have been engaging them but you will find that there is minimal commitment from the personnel who are running this department. That is the CEC and the Chief Officer in charge. As a department, we have been engaging them but on several occasions even the CEC is an absentee CEC in our meetings. I fully agree that as a House, we need to combine here so that we can get to the bottom and assist this department because when you look at even the issue of the main income generating section that is the weights and measures, there is no substantive officer as we speak to handle that crucial section and when you have been interrogating them, they are just saying we are recruiting, we have challenges from the National Government, a lot of...

Hon. Wafula Waiti: Information Mr. Speaker!

Mr. Speaker: Hon. Waiti, allow Hon. Kikechi to finish. I will allow you to inform us immediately after he has finished.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

Hon. Benard Kikechi: Thank you Honorable Speaker for protecting me because what I am raising is crucial because we are really trying to assist this department. Hon. Waiti is just trying to be mischievous. Thank you.

Mr. Speaker: Hon Kikechi, I think I have been protecting you and now you are misbehaving.

(Laughter)

Hon. Waiti Wafula *(On a point of information):* Thank you for that chance, Hon Speaker. Actually, as the Hon Kikechi is presenting these issues, I want this House to mark that Hon. Kikechi, is the chair of the committee that has presented this report here. He is telling this House that the CECM is an absentee. He was not present at the time the committee required the information from the department.

As the chair of the committee, is he now telling this House that the information they have presented here is just their making. It did not come from the department, Hon. Speaker. That is my information. Let him be clear and confirm to this House that the report that has been presented here truly came from the department so that this House can consume.

Mr Speaker: Hon. Kikechi remains the chair of the committee. Maybe what he is saying that they have lost control of the department directly. Proceed, Hon. Kikechi.

Hon. Benard Kikechi: Thank you, Hon Speaker. The point I was trying to say is that this is a department and as a committee we always do our report, the way we have presented the report, but we also need this department to be proactive. Because, these recommendations we have been making when you check even the past reports, you will find that it is only the Ministry of Trade whereby you hear issues of lack of proper staffing, inadequate staff. So, I pray that as per the recommendations of the committee as we have said clearly here, will be adhered to the latter.

Otherwise, this is the report of the Committee of Trade, Energy and Industrialization, and that was properly moved on the floor of the House. Thank you.

Mr. Speaker: Members, before I am able to call the mover of the motion to respond, this is just my guidance to the committee. I have heard Hon Sudi and Nganga talking about the street lights. Sometimes it is painful. If you go out there now, drive from Musikoma to Kanduyi, since Saturday the lights are on. They are on during daytime. That is from Kenya Power and not solar. Solar cannot be on during daytime.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

The *Mulika Mwizi* on your way to Sikata, Lusaka Road, around my area of operation, I was asking the Chief Officer yesterday night, shall we be forced to pay for this consumed power or not. Because power is on during daytime. And soon we will see an invoice of Ksh 30 million for us to pay before they reconnect. Members, as we approve this report, I want to have some Members prepare a nice statement so that we bring you, the Chief Officer, the CECM and the Directors on maybe three major issues. Kamukuywa Market, Kanduyi Bus Park, Street lighting and Industrial Park. Because what is happening here, I am not pre-empting your discussions and I am not part of your discussions.

In the last financial year, last supplementary budget, there was an allocation of Ksh 50 million for completion of Bus Park and Kamukuywa Market. And they can confirm it was on the budget. So as we are talking here, the contractor is not on site.

If you look at the payment it is 100%. Are you getting it Members? So, the question that Hon. Sudi was asking, that is painful to me, and I won't be able to answer for you. What will you people have to say in five years? You are unable to complete a project and hand it over to the public? The public cannot have it because the variation was also paid Ksh 50 million. It has been paid, I can confirm for you, plus Kamukuywa. It's around 80% done. Hon Kikechi, allow me to bring your people here so that they can be handled from here.

Hon. Benard Kikechi: Much obliged, Hon. Speaker.

Mr. Speaker: Members, stop saying it's from my Ward. When you are going to face voters, he will be campaigning against you. And I can remind you, members, in the last Assembly, Hon. Leader of Majority was protecting Chris Simiyu, who was the Chief Officer in the Governor's office, at long last he campaigned against him, even in his polling station.

So, those people are not your friends. During the election, they will become animals. Let them come here and answer queries of the County. Forget about them coming from your wards. They are employees to serve our people. If they are not working, they are going to fail you people.

You will have problems seeking re-elections. Hon. Florence, I will not report you now because my friend has walked out, but give us a reply to the motion.

Hon. Florence Juma (Mover to reply): Thank you, Hon. Speaker. First and foremost, I would like to take this opportunity to thank the seconder of this motion and all the other Honourable Members that took their time to contribute to the same motion. As a committee, remember this report was asked on 30th June, 2025.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

So, progressively, there have been some changes. For example, as a department, we have been able to invite the Executive, and things have changed. But if I may be able to speak about the extension, from our recommendation, we have recommended that the department should expedite any necessary contractual extensions for Kamukwya Market and ensure that construction activities are accelerated.

A revised implementation plan should be submitted to the committee within 30 days from the adoption of this report. So, as a committee, we had made that recommendation, and we are expecting the department to be able to get back to us. We need to look at all those extensions, because when you look at CAIP, it has had more than two extensions, and it's already requesting for another.

I also thank this Honourable House for suggesting that the said officers should be invited to this House to be able to shed more light on that and many of the other issues. Thank you, Hon. Speaker. I urge the House to adopt the report. Thank you.

Mr Speaker: Thank you Hon. Florence for the reply to the motion that was moved by yourself, and secondment of the same by the Honourable Members. Members, at this juncture, allow me to put a question to the motion;

(Question put and agreed to)

Honourable Members, I am now using my powers under Standing Order 1, I have looked at the motion that was deferred. The motion for seeking provision for bursary and scholarship in the next financial year. If you fail to have the same put in the County Fiscal Strategy Paper, don't wait for allocation in the main budget. I would want to urge you that that motion is going to be deferred to 2:00 p.m.

Ask your Members to come and support it because when it comes to the issue of academics, it cuts across. They may have been able to go out on one, two, three things, but that motion is important for you. It may be your only saviour.

If you have ever gone to swim and you are drowning, any floating log can save you. So, Members, allow me to be able to remove that motion from the Order Paper in this morning session, and have it at 2:00 p.m. as the first motion before the main motion. This is to allow Hon. Ipara and the Whips get Members to support this motion.

That is my humble request to you. Ask Members to come and support the motion. There was a problem when the vote was taken. They were asking how many Members were present. There

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.

is no 22 and a half Members. There is no half Hon. Member. Either it is 23 or 22. A quorum is 21 or 22. You cannot have half Hon. Florence. Thank you.

ADJOURNMENT

Mr. Speaker: Having said that, we now adjourn and resume at 2.30 p.m. for the afternoon session.

The House rose at 11:32 a.m.

Version 00

Revision 00

Disclaimer: The electronic Version of the Official Hansard Report is for information purposes only.

A certified Version of this report can be obtained from the Hansard Editor.