

Thursday, 28th June, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA

SIAYA COUNTY ASSEMBLY

THE HANSARD

Second County Assembly – Second Session

Thursday, 28th June, 2018

The House met at the County Assembly Chamber at 2.30 p.m.

[The Speaker (Hon. Okode) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

- 1) MBAGA PRIMARY SCHOOL VISIT
- 2) CHIEF WHIP
- 3) ROLE OF POLITICAL PARTIES

Hon. Speaker: Hon. Members, I will make the following communication but before that, allow me to bring to your attention that I wish to recognize the presence of pupils from Mbaga Mixed Primary school who are seated in the public gallery. They are accompanied by;

1. Mr. Maurice Anyumba Deputy Head Teacher
2. Mr. Charles OduorTeacher
3. Ms. Millicent OpondoTeacher
4. Ms. Jennifer ApondiTeacher
5. Mr. Julius OlooTeacher
6. Ms. Valentine OgomboTeacher

On behalf of the Members and on my behalf, I extend a warm welcome to them and wish them a happy fruitful visit. Will we welcome them in our usual way!

(Applause)

Thank you. Hon. Members, I want to bring it to your attention that I have received communication from the Deputy Whip of the Majority Party, Hon. Linda Juma on the election of the Whip of the Majority Party. It reads; Reference is made to the above subject matter and to a

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meeting of Members of the Orange Democratic (ODM) Party held on the 12th June, 2018 to elect the Whip of the Majority Party.

Upon the demise of Hon. Joannes Andiego, MCA, Central Sakwa Ward, the position of Chief Whip of the Majority Party fell vacant. It is in this regard that the Hon. Members of the Majority Party, ODM, met and elected a replacement to the said office.

This letter therefore serves to communicate to your office that after a successful election, the Hon. Samuel Olasi, MCA, West Uyoma Ward, was elected to the office of the Whip of the Majority Party.

Attached is a copy of the minutes of the meeting for your requisite action.

I declare that Hon. Samuel Olasi, MCA, West Uyoma has been duly elected and communication made to this House properly. Will we congratulate Hon. Olasi!

(Applause)

I will invite him to talk at some point.

Allow me also to communicate to you that the office of the registrar of political parties in collaboration with the National Democratic Institute has organized a series of County Multi Party Forums on the role of political parties in strengthening devolved governments. The forum will also incorporate mechanisms to promote peace in the counties.

Workshops will be held in the following counties; I will confine myself to Siaya which is on the 2nd of July, 2018. This is therefore to request you to forward the list of elected Members from your political parties in the aforementioned counties and two representatives in your County Office to participate in the workshop.

This is addressed to the political parties in the House to act accordingly.

MESSAGES

- 1) APPROPRIATIONS BILL
- 2) COUNTY ATTORNEY

Hon. Speaker: Hon. Members, I also wish to communicate to you that we received an Appropriation Bill this afternoon but we have since suspended it. It will not be considered because it has to be informed by the deliberations of this House on the Budget Estimates, so until then we will not admit it.

But I have a message from the office of the Governor regarding the position of the County Attorney Nominee.

The County Assembly approved the creation of the office of the County Attorney for Siaya vide its report of 25th August, 2015. The said report envisages that the County Attorney shall be an ex-officio member of the County Executive Committee.

The Public Service Board invited applications from qualified persons with a view of initiating the process of filling up the position and submitted to my office a letter dated 3rd May,

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2018 (copy attached) communicating their results for the interviews of candidates who were shortlisted for the said position. Mr. Speaker, being an ex officio position in the County Executive Committee, Art. 179(2) (b) of the Constitution envisages that the nominee for the position shall obtain the approval of the County Assembly before formal appointment. The said position provides as follows; *“The County Executive Committee consists of – a) Members appointed by the County Governor with the approval of the Assembly, from among persons who are not members of the Assembly”*.

Further, Section 4 of the Public Appointments (County Assemblies Approval) Act requires that such a public appointment obtains the approval of the County Assembly before it is effected. The said provision states as follows; *“An appointment under the Constitution or any other law for which the approval of the County Assembly is required shall not be made unless the appointment is approved by the relevant County Assembly in accordance with this Act”*.

It is in view of the above requirements of the law that I nominate Mr. Philip Richard Okanda Owade for vetting by the County Assembly as County Attorney for Siaya. Please find attached to this letter the communication from the Public Service Board indicating the results of the interview, his curriculum vitae, academic documents and Chapter Six clearance documents for vetting. Signed by Governor Cornel Rasanga Amoth, County Government of Siaya.

I commit that to the Committee on Appointments to deal with it accordingly.

PETITION

SIAYA COUNTY SERVICE BOARD CHAIR – HON. JOE DONDE

Hon. Speaker: Hon. Members, I have a petition. Petition to the County Assembly of Siaya to find the Chairman of Siaya County Public Service Board, Hon. Joe Aketch Donde in Contravention of the law. I will read;

I, the undersigned, citizen of the Republic of Kenya, resident of Siaya County and Member of Siaya County Public Service Board. Whereas the Constitution of Kenya 2010, provides for a framework uniform norms and standards, values and principles to be applied in all counties in respect of exercising disciplinary control over and removing persons holding or acting in offices.

Whereas the County Government Act No. 17 of 2012 as envisaged in article 235 of the Constitution of Kenya 2010 also provides for the removal of Board Members from offices under article 58(5), such removal being by a vote of not less than seventy five percent of all the Members of the County Assembly 5(b) amongst other provisions.

Whereas both the Constitution of Kenya 2010 and the County Government Act No. 17 of 2012 did not therefore expressly provide for a clear disciplinary process and/or procedure for disciplinary control of/and over members of the County Public Service Board. That in my view therefore, there are no legal remedies known in law providing for disciplinary measures against board members, whether exercised or purported.

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That a court ruling in the employment and labour relations court at Kisumu, petition no. 43 of 2017 before Hon. Justice Mathews Nderi Nduma ruled that the County Government Act No. 17 of 2012 at section 77 states that appeals by the action of the County Public Service Board lies with the Public Service Commission.

That a letter written to me on 9th November, 2017 ref; SYACNTY/PSB/DIS/11/17/(1) doesn't mention any Board decision or minutes. That I am not aware as a Member of the County Public Service Board of a decision by the Board to communicate contents of the letter reference SYACNTY/PSB/DIS/11/7(1) dated 9th November, 2017.

That the County Assembly of Siaya in a report on the petitions for dismissal of the Chairman of the County Public Service Board and on illegal recruitment of officers in the County Public Service, had indicted Hon. Joe A Donde by recommending investigations into illicit conduct and illegal action on him.

That I am convinced that the reasons stated in item 17 above is the reason Hon. Joe A Donde would want to continue keeping me off duty as I raised issues concerning non-conformity to the law by himself and secretary to the Siaya County Public Service Board, William Onyango Luballo prior to being issued with the letter ref. SYACNTY/PSB/DIS/11/17(1) dated 9th November, 2017.

Wherefore I humbly pray that the County Assembly of Siaya;

- a) As the oversight authority in the County Government of Siaya, suspends activities of the Board that should be undertaken as per Sections of the law, I will not mention them.
- b) Finds that the Chairman, Siaya County Public Service Board, Hon. Joe A Donde acted unlawfully by authoring a letter whose reference is there by executing powers ultra vires.
- c) Further finds that Hon. Joe A Donde having continuously acted unlawfully, be subjected to the provisions of the law, the County Government Act and declared unfit to continue holding public office.

Signed by Mr. Ishmael Noo Onyango, ID No. 8227529, P.O. Box 129,40601, Bondo, Member, Siaya County Public Service Board.

I direct Committee on Governance having been involved in matters very pertinent to this petition, will not proceed to handle this petition and forthwith the petition be handled by the Committee on Justice and Legal Affairs and a report be brought to us in the shortness of time.

PAPER

BUDGET ESTIMATES FY 2018/2019

Hon. Madialo: Mr. Speaker, Sir, I arise to lay on the Table of the House the report of the Committee on Budget and Appropriations on the FY 2018/2019 programme based budget of the County Government of Siaya.

NOTICE OF MOTION

BUDGET ESTIMATES FY 2018/2019

Hon. Madialo: Mr. Speaker, Sir, I arise to give a Notice to move a Motion:

THAT this House adopts the Report of the Committee on Budget and Appropriations on the FY 2018/2019 programme based budget of the County Government of Siaya laid on the Table of the House today Thursday, 28th June, 2018.

STATEMENTS

- 1) ANSWERS TO STATEMENTS
- 2) HON. OLASI ACCEPTANCE SPEECH

Hon. Speaker: Hon. Members, there is a growing concern in the House that statements are asked and answers take too long to come by and the Chair has taken note. We will ensure that we enforce our Standing Orders so that we get answers to questions very promptly. At this juncture I want to ask Hon. Olasi wherever he is to make a comment on his election as a Whip of the Majority Party.

Hon. Olasi: Thank you, Chairman. If you allow me I can give a brief speech.

Speaker, Sir, Hon. Members, ladies and gentlemen. Allow me first to thank the Almighty God for bringing us this far. Also allow me to pay special tribute to our late colleague and mentor and my senior, Hon Joannes Andiego (May his soul rest in eternal peace), for the wonderful work he started as our majority chief whip while he was in our midst.

The late Andiego was really a master-piece in the office of the whip of majority. Honorable members, may God's blessings be upon all of you, as I commend you for the faith, the trust and the confidence that you have in me, to have unanimously elected me as your chief whip. Honorable members, I take this responsibility and challenges that come with it, with confidence and humility that it deserves.

You have given me an honor, not to show off, but to be your humble servant as we pursue the ideals of our sponsoring party, ODM and most importantly, those of our great Assembly, Siaya, under the wisdom of our excellent Honorable Speaker. Fellow honorable members, other people say politics is a game, a dirty game, but let me leave that line for the cowards, I say politics is a lifestyle; it is indeed a software, where we program ourselves, in a united manner, to have development as the desired output.

My work will be to be the engineer of this software in the Siaya chapter; I shall link the thinking and aspirations of this honorable House, with those of our party leaders, our constitution, and very importantly, the wishes of the great people of Siaya.

For me to succeed in this, I shall count on your singular and collective support, which I believe you shall accord me without any reservations. I plan to anchor my success as a Chief

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Whip, on the support and wisdom of our Hon Speaker and his deputy, Majority leader and his deputy, my own deputy and the able honorable Members of this house. Above all, I know that all wisdom come from God, and he shall be my shield and defender in my service to this Assembly as the Chief Whip of the majority party.

May God Bless Hon. Members of this Assembly, God bless Siaya. Thank you, so much.

(Applause)

Hon. Otiato: Thank you, Hon. Speaker and Members of this Assembly. Allow me to take this humble opportunity to thank my able Chief Whip, Hon. Olasi and from the few remarks that he has given. I will not eulogize Hon Andiego for now, because it had been done. I believe Hon. Olasi will be able to make. He has shown us that he can mobilize.

As a Chair of Welfare, without any regulations he was able to ensure that when we have any problem in the House, he came out strongly to mobilize. Even in the funeral of the late Hon. Andiego, we realized that he was very instrumental in reaching out even to the MCAs from Murang'a.

He embraced the handshake beyond the ODM to Jubilee and brought to us some Members from the Jubilee zone. We know from the spirit of this party ODM, where we strongly support and belong to, we will move a good step with him.

Hon. Olasi, on my behalf and on behalf of the Yimbo East Ward, we congratulate you and promise to work with you well. Thank you.

Hon. Mboha: Thank you, Mr. Speaker. I first wish to congratulate our senior Hon. Olasi, as our new Majority Whip. I think my concern is, since his election, he has left his seat vacant here. Let him move from wherever he is seated and take his official seat. That is my humble request. Thank you.

Hon. Speaker: Hon. Olasi, do what your electorates want you to do.

(Hon. Olasi takes his official seat as the Chief Whip)

Hon. Opanga: Thank you, Hon. Speaker. Allow me also on my own behalf and the people of North Ugenya to congratulate my brother, Hon. Olasi. It is an uphill task to fit in a shoe that might be tricky. The person who was in that seat was somebody and we believe that Hon. Olasi will be able to fit in that shoe and serve the people of Siaya irrespective of the parties.

He will unite the House irrespective of the party and bring those outside the party to get more numbers. As a Whip, you will be whipping everybody in this House. I congratulate you and promise to work with you and help you deliver to the good people of Siaya. Thank you.

Hon. Speaker: On my own behalf and on your behalf, we congratulate Hon. Olasi. Hon. Olasi, if you have dinner party remember all of us.

(Laughter)

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Hon. Oriaro: Hon. Speaker, I never knew we would have counter remarks after the speech. Allow me to say that the seat of the Whip is worth fighting for and Hon. Olasi has gotten hold of it. I must observe that in the National Parliament, we have been seeing Whips on unjust courses in favor of the Executive.

They are sent to blindly go and whip Members in furtherance of matters that are of no benefit to the well-being of the populace. My challenge to the Whip, because he is the Majority party Whip, and people tend to think that if you are a Whip you are a property of the Executive but 2010 Constitution talks of the reverse.

I will be happy to join our Whip in pushing for that which will help advance the course of Siaya County residents. But if the Executive will be pushing him to just go and blind whip the Members on matters whose agenda is kept under, I will revolt against the Majority Whip of this House. Thank you.

(Laughter)

Hon. Speaker: Next order!

MOTION

BUDGET ESTIMATES FY 2018/2019

Hon. Madialo: Mr. Speaker, Sir, I rise to move a Motion: THAT this House adopts the report of the Committee on Budget and Appropriations on the FY 2018/2019 programme based budget of the County Government of Siaya laid on the Table of the House today Thursday, 28th June, 2018.

First and foremost, allow me to extend my gratitude to the Members of Siaya County Assembly Budget and Appropriations Committee. While at it, allow me also to pay tribute to the late Hon. Joannes Andiego who participated in doing Three Quarters of the work in this report which we present to the Assembly today. May his soul rest in eternal peace.

I have had the privilege and opportunity to be honored by the Membership of this Assembly as a whole to an informal way go through what the contents of this report entail and we have spoken the contents of this report.

This is a booklet and I do know that most of the contents there are in the knowledge of the Membership and I will be requesting them to kindly permit me to be selective in those paragraphs that I will read. I believe each Member must be holding a copy of the report.

The contents of this report are informed by an exercise that commences with the CIDP, ADP, CFSP and eventually crystalizes into Budget Estimates on which we today present. Going by the provisions of Section 131 of the Public Finance Management Act, and which we adhered to. The Section says, *the County Assembly Committee in making recommendations on the*

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Budget Estimates, shall take into account the views of the public and the views of the County Executive Committee in charge of Finance.

I wish to report positively that the Committee met various stakeholders; in particular, we met the civil society, interacted with them and took their views. We invited the leadership of this Assembly and specifically those whose Wards or Constituencies are interest groups, those are ladies nominated to represent the gender section of our society.

We did interact directly with those who represent the interest group that is the youth in this County and we did interact with those who represent people living with disability in the Assembly and who represent their interest.

Those representatives of those interest groups were so interested by their concerns that I remember the youth representatives of this Assembly went out of their way and invited other youths to interact with the Committee.

Persons living with disability were invited to interact with us at the headquarters, at the Ward level. We interacted with hundreds and hundreds of women at the headquarters and the individual Wards that are represented by our able leaders. Having also looked at the report as presented to us and laid before the Committee by the various chairs of the Sectoral Committees of this House, we then came up with a summary which is now this report.

I wish to deal with an issue that I have dealt with three times but has risen again, so I want to deal with it at this juncture before we go on. This report is being read and received, large as it is, the contents thereof coming to the attention of the Members of the Assembly in written form in hard copy, save for the early interactions I alluded to this afternoon.

I have explained several times, I wish to explain again that the report could not have been earlier because the Committee got only to receive the contents of the CARA- County Revenue Allocation Act by the Senate yesterday. And within that CARA document, that is where you get how much you are going to apply at the ceiling spending of this County Assembly and ceiling spending of the County Executive office of the Governor.

As much as this Committee would have wished to have this report much earlier, it was practically impossible because we did not know exactly how much money to apply towards the Assembly and towards the Governor's office until yesterday at 9.00 a.m. It is within our general knowledge in the Assembly that even as we were interacting with that CARA document, there was some necessary interruption of that exercise so that other consultations be undertaken. I would have wished to apologize that the document has come late but I have said we have reasons and the reasons were not within our control.

The Resource Envelope of Siaya County was presented to the Committee. The Committee recommends that the County Executive shall spend both in the recurrent and development expenditure line of Kshs. 6,134, 987. During that year, this Committee recommends that the County Assembly shall spend both in development and recurrent expenditure lines, Kshs. 907,556,207. Additionally, we wish to report to this House that Kshs. 1,763,014,403 shall be rolled over as allocation for development projects from this Financial Year.

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Hon. Speaker: Yes, Hon. Adala, what is the matter?

Hon. Adala: Thank you, Mr. Speaker, Sir. I would want to agree with the Chair that he reads it in summary form; again we are aware that we have just received this document about half an hour ago and we may not have looked at it so much. As much as we have had our meetings, I would request that as he summarizes you can refer us to the page numbers so that we can follow up.

Hon. Madialo: Thank you, Mr. Speaker---

Hon. Speaker: Hon. Members, you must have received the hard copies a few minutes ago, but the soft copies were sent to you much earlier. But Hon. Madialo, please be advised, follow what Hon. Adala wants.

Hon. Madialo: Mr. Speaker, thank you, so much. Hon. Adala reads so many moods which for me I don't know. So we are on page 27 and as the Hon. Member was rising on his feet, I was saying that there should be additional Kshs. 1,763,014,403.30 to be rolled over as allocation for development projects from FY 2017/2018.

I wish to report to the House that as of today at 1.00 p.m., we still didn't know how much money was being rolled over. As the final report was being done, communication then came to me by phone that there is a possibility and in fact they were sure that about Kshs. 200million is likely to be paid by the end of the day today and there is no any other requisition that may come through from that Financial Year.

So they have reported to the chairman of the Committee that projects and expenditures that were supposed to be taken in the FY 2017/2018 worth Kshs. 1,763,014,403.30 shall be rolled over. In common colloquial we say returned but that is rolled over.

I also wish to add; because I heard that one or two Members are worried that they want to see this thing today. So allow me to give an undertaking to all the Members that we are going to provide the Members with details on the specific projects and expenditure lines that are being rolled over plus the monetary value. We have asked them to prepare that and give it to us by Monday.

Further, that **Kshs 4,232,685,532.30** or 48.26% (inclusive of the rolled over projects) of the total budget, be allocated to the Development budget; **Kshs. 2,719,767,122** (31.01%) to the Compensation to employees (Personnel Emoluments); and **Kshs. 1,818,152,943** (20.73%) to the Operations and Maintenance.

Policy Prescriptions

- i) The name of the proposed Governor's scholarship programme should be changed to '**Siaya County Scholarship Kitty**'. To ensure effective implementation of this fund, the County Assembly's Committee on Education should follow up to ensure that the

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department of Education, Youth Affairs, Gender and Social Services puts in place structures and regulations before the money is spent.

- ii) This Assembly may remember that it recently resolved that the ‘irregular’ recruitments done by the County Executive be declared null and void. The Committee therefore recommends that the Governance and Administration department should not allocate any PE to people whose recruitments were reversed by the Assembly. Similarly, this Committee recommends that no PE should be allocated for the Chief Officers in acting capacity whose appointments have not been approved by this County Assembly.
- iii) The department of Education should develop a policy that will manage the establishment and operations of community libraries within the County.
- iv) Both the County Assembly and Executive should ensure that quality public awareness and education are conducted. This will ensure that the residents of the County fully appreciate the benefits of the Lake Region Economic Bloc.
- v) That the department of Roads should develop a policy which will outline the implementation of supply of cooking stoves as an energy management programme.
- vi) Devolution is one of the most important developments that this generation interacts or might interact with even as they transit to allow space for new generation. But the County Government Act directs that Devolution goes down to the Villages by the creation of the village units and employment of Village administration. The Bill on the creation of the village administration should be given priority so as to enable allocation of resources for its implementation.
- vii) That the CEC Member for Enterprise should fast track the submission of the Cooperative fund and Enterprise fund legislative proposals for processing by the Assembly to legitimize the use of funds allocated to these kitties.

Mr. Speaker, Sir, allow me to go to page 38, paragraphs 5.3. Hon. Adala if you can't reach there, Hon. Omwende will assist you.

- i) Reduce the County Resource Envelop and capital expenditure in the **Sector of Water, Irrigation, Environment and Natural Resources** by Kshs. 72 million and expenditure in the, being an amount which was earlier projected but has not been captured in the County Revenue Allocation Bill, 2018 and meant for the Water Tower Protection.

- ii) Reduce the County's Resource Envelop and capital expenditure in the **Sector of Lands, Physical Planning, Housing and Urban Planning** by Kshs. 50 million, being an allocation captured twice as loans and grants as well as Kenya Urban Support project.
- iii) Reduce the allocation under the **Sector of Governance and Administration** meant for the construction of Office Annex by Kshs. 20 million from Kshs. 50 million to Kshs. 30 million.
- iv) The executive purported to plan development for Assembly at Kshs. 45,689,580. This Committee has reversed that and has gone on to reduce the proposed allocation for the **County Assembly** meant for development projects by Kshs. 45,689,580 so that the Assembly proposals for development are considered for approval.

We made several reductions but there are certain areas that we must be specific so that the public is properly informed. Those reductions run from pages 40 to 45, and looking at page 45 as health;

The Committee has reallocated Kshs. 18,194,808 for User fee forgone in the **Health and Sanitation Sector** so that it captures the actual activities that will be funded by the allocation.

Still at page 45 and this is what is most important to us, Motorcycle rider, Mama Mboga and I believe to the pedestrian walking along Ahindi gardens. This Committee has recommended that a total of Kshs. 900 million be set aside in the development vote for implementation of development projects identified and prioritized at the Ward level during the Public Hearings in all the County Wards and that this be guided by the list of projects submitted by each County Ward.

Further that the allocation for each Ward to include **Kshs. 500,000** for Sports activities. The Kshs. 900 million should be amended strictly to the extent of the list of projects as submitted by the respective MCAs representing the County Wards.

This Committee also in further recognition of the importance of sports in our development recommended that the request of the County Executive to go on with the construction be sustained. So for this FY, the Committee recommends that Kshs. 105 million be set aside for the construction of Siaya County Stadium.

Mr. Speaker, Sir, as for the much touted universal healthcare, this Committee recommends that given that this is a piloting stage, Kshs. 85 million be set aside for the provision of universal healthcare to our people but with emphasis that the criteria of identification of the beneficiaries be established by way of development of regulations and rules.

Mr. Speaker, Sir, the County Assembly's provision for O&M & P has been adjusted to conform to the CRA recommended ceiling of Kshs.648,656,207. The Senate has adjusted the

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allocation to the Assembly from the initial Kshs. 617,987,807 ceiling by the CRA to Kshs.648,656,207.

The capital allocation of the Assembly for development is at Kshs. 258,900,000. This encompasses the following;

1. Construction of the Assembly Complex at Kshs. 100,000,000
2. Supervision of the construction of the Assembly complex at Kshs. 5,000,000
3. Construction of the Speaker's residence at Kshs. 42,300,000
4. Supervision of the construction of the Speaker's residence at Kshs. 5,000,000
5. Construction of Ward Offices at Kshs. 45,000,000
6. ICT system infrastructure and equipment development at Kshs. 15,100,000
7. Purchase of one motor vehicle at Kshs. 6,500,000
8. Provision of staff loans and mortgages at Kshs. 40,000,000

Mr. Speaker, Sir, we wish to recognize that Members who are nominated to represent special interest groups are not nominated in vain. Much as the Executive did not go specifically to that direction, this Committee recommends that that anomaly be corrected.

To enable us realize that direction, it is our recommendation that henceforth, at the budgeting level as we look at thirty Wards, we treat special interest groups as one singular ward so that in our minds, even if it is not on paper, we look at our Assembly as comprised of thirty-one Wards.

Mr. Speaker, Sir, we are going affirmative and thus, we have allocated Kshs. 5 million for the construction of Nyasanda sheltered workshop which is specific to people living with disability.

We have all allocated Kshs. 7,500,000 for the empowerment of women. We have also allocated Kshs. 7,500,000 for the empowerment of the youth. Mr. Speaker, we have taken the pain of mentioning the figures and undersigning it to specific interest groups in the description so that there is no doubt where we want the money to be applied.

Mr. Speaker, Sir, we recommend as follows:

1. That this House resolves to approve the Report of the Budget and Appropriations Committee on the budget estimates for the Financial Year 2018/2019.
2. That this House approves a total budget of Kshs. 8,770,605,597.30 to meet the expenditure during the year ending 30th June, 2019 in respect of the Sectors and Departments as attached in Schedule 1 and that this schedule forms basis for enactment of the Appropriation Act; and
3. That this House approves a total of Kshs. 900 million for the implementation of development projects identified and prioritized at the Ward level during the public

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hearings in all the County Wards and that this be guided by the list of projects submitted by each County Ward.

Further that the allocation for each Ward to include Kshs. 500,000 for Sports activities. The Kshs. 900 million should be amended strictly to the extent of the list of projects as submitted by the respective MCAs representing the County Wards.

Mr. Speaker, Sir, I want to rest my submissions by saying that I have not read the entire Report because our Members have the capacity to read and main contents are things we shared about yesterday and even today.

Before I sit, I wish to state that the budget making process is a political one and the budget making power of this County Assembly is one of the most important oversight weapons that we wield against the Executive; because, where resources are not allocated, there can never be misappropriation. Where there is a lot of resources, the possibility of misappropriation is thereby imported.

Mr. Speaker, Sir, the rights of the citizens cannot be trampled on if there is no money to be employed towards the ---of trampling. But the rights of the citizens can be trampled on a lot if there is excessive resources that go towards that trampling. You only check the activities of the executing authority by ensuring that there are sufficient funds enough for the role they want to play.

Mr. Speaker, Sir, I urge this House that in adopting our recommendations to look at it as a way of exercising their oversight role.

This is a negotiated document, Mr. Speaker, Sir; we have tried to balance what the Executive wants, what the Assembly wants and what the public wants taking into consideration the recommendations of the Sectoral Committees. In our very sincere opinion, we have come up with a balanced recommendation.

At the bottom of our heart as a Committee, we believe that what we have bought is a balanced document. We may not be liked by all of us, by everybody, by the entire community, but, Mr. Speaker, on, we must move. I urge this House to adopt this Report and the whole of Siaya to move on.

I urge the Hon. Vice Chairperson of the Budget Committee to second.

Hon. Ochola: Mr. Speaker, Sir, I rise to second.

(Question proposed)

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Hon. Oriaro: Thank you, Mr. Speaker, Sir, for this opportunity. On behalf of the public I represent, I want to take this opportunity to thank Budget Committee for a job well done. On a special note, I want to also thank the Chairperson for having embraced a sense of intellectualism in the generation of this document, kudos to him and it is unknown to the general public that we are not any other persons they think we are we know what goes on framing such like documents.

Mr. Speaker, Sir, today's Motion is not like any other. It is an appropriate Motion on a tether to constitutional provision. The law requires that not later than the end of this month, we must have adopted and approved this document. I want to urge my colleagues that we adopt it so that we give the Executive the opportunity to start planning.

Mr. Speaker, Sir, two things are very key and worth taking cognizance of; the budget making process is not an event, it is a process that has to start from the month of August all through to this date and day.

The greater portion was the Executive going round the County and getting the views of the people that is used to produce the initial document then the Budget Committee picks it from there. I am impressed when the Budget Committee Chairperson says "we have allocated". Meaning now this is the Assembly and not the Executive and what we allocate is the final.

Mr. Speaker, Sir, you will be surprised that for instance, in my Ward, the proposals that were in the document that has undergone the classic and radical transformation that we have here was ultra vires the views of the public. This is so dangerous! Maybe we absolve or exonerate them because they are not representatives. We are the representatives. We are saying that in future, the Executive takes time to put into perspective the concerns of the County residents. They have got all the time, through various ways to present to this House items in the Estimates.

So I am warning the executive, they have almost Six months or more than that, to come up with water tight programs, after all the Governor is still the bearer and the custodian of the aspirations of the people. If they get it wrong, then they give the Budget Committee problems, and that one is exemplified in the Report, pages Forty to forty five.

You can see how the technical equip of the Committee to put things into perspective, revising that which they had presented.

Members were talking and wondering why maybe they were not timely brought into the picture, courtesy of most informal meetings, I believe that we are now most at peace. Now the Commission of the Revenue Allocation, because it is a process not an event, the Chairman said

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that they got a communication from the Senate yesterday which is a coronary of a reporting by the Revenue Allocation Commission.

We want also to warn the Senate, and the Constitutional bodies of the order of Commission on Revenue Allocations, that they do things on time, so that what we get from the Senate, and the Senate itself, is timely, so that we get time, to have a document which is legally upright.

Those ones should be taken cognizance of, but above all, we also want to warn the Siaya Executive. In the past, after having approved the Budget estimates and we thought we were approving it with an amendment that is the opportunity they were picking to do their own budget in Siaya Hotels. They re-write the Estimates we had approved.

Siaya Central Alego is a victim, 2017/2018. That which was later on show cased was not in the actual approvals. So this time, the document we want to present to the Executive after the adoption of this, without any alterations whatsoever, I support the idea of appending of requisite signatures by the appropriate Members, in that document page by page, so that this time round, if it interferes with our programs, I shall go to a Court of Law.

I was at pain to note that Members know that for instance plans for water piping were interfered with. It was taken to the public that it was Oriaro who removed them from the Supplementary sessions.

So this time round, we want to tell them that we know law. I am a Human Rights defender. If programs are interfered with, even if it is ten bob for a given program, I will go to the Court of law and I will bring to a halt the entire implementation of such program.

In conclusion Mr. Speaker Sir, why not beg to support?

Hon. Speaker: Yes, Hon. Washington Booker, Member for South Uyoma.

Hon. Booker: Thank you, Mr. Speaker, Sir, I will be very brief and to the point. First of all, allow me to thank the Committee of Budget for a job well done amidst all the speculation that had risen. We commend that. With all that, allow me to suggest an amendment to this Budget especially on page 56, on Ward Development Fund. The project prioritized at the Ward level should be Kshs 30 million per ward.

I suggest an inclusion that it should be; the projects prioritized at the Ward level should be at a minimum of 30 million shillings. I say this because I don't want us to be cobwebbed into the clause of anybody, so that we only think about Kshs.30 million even when the Resource Envelope is bigger. So if we could do that, we could save the Citizens of Siaya. Thank you, and with those few remarks, I support.

Hon. Speaker: Mr. Chairman, you will respond to that. If it's a grammatical issue, if it's critical, we vote, through the presiding officer.

Hon. Madialo: Yes

Hon. Speaker: Yes, Hon. Erick Odawa, Member for Sigomre Ward.

Hon. E. Odawa: Thank you, Hon. Speaker. On behalf of the people of Sigomre Ward, which I represent, and the people of Siaya, I would like to take this opportunity to thank the

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Chairman of the Budget Committee and the Committee as a whole, for a job well done. As my predecessor Hon. Madialo has put it, that Budget making is a process.

I think what he forgot to mention is that it is a vigorous exercise; cumbersome and tedious. I would like to commend the Committee for recognizing the importance of debating the nine hundred million for Ward Development. At one time we were skeptical as we heard that tentative figure reduced down to Kshs.19million yet the funds that had been allocated for Siaya County had increased; I want to appreciate them for that.

I equally want to appreciate them for recognizing people with disability and women, and giving them a constituency of their own. That's commendable. I equally would like to commend them again for their keen eye, and reducing the budgetary allocations in various departments to minimize waste, for example finance department, Kshs.316 million is a big saving.

As I said yesterday, that Budget making is a balancing act, for you give with one hand and take with equal measure with the other hand. There are four things which are crucial to human beings. I have my children here and I don't want to go into the specifics, we have Land, Women, Resources, and Power. These are things that men fight for.

I would equally want to state that this Committee has given us clause, has cushioned us, has enabled us now to have a voice, it has converted us from bootlickers to be representatives of the people of Siaya. The executive on its part should reduce wastage, crackdown on corruption heavily; the Executive should also crack down heavily on Nepotism.

I equally want to appreciate the Committee for recognizing the importance of the construction of Ward Offices. An MCA is an honorable Member who represents numerous people. The Ward I represent has got five thousand people and it is wrong for me to have an office behind some shack somewhere. The MCA's office should be somewhere decent, accessible, and for the sake of continuity for future generations, the concrete should be available there, and thus the importance of having an office constructed.

My only feeling is that, how I wish you would have added that it starts with Kshs. 3 million per Ward so that we start phase 1 at least something quite tangible, because as an engineer, I know that Kshs. 1.5 million may not do much, but at least we will be stirring in the right direction.

On the Executive part, I would like to encourage the Executive to boost its Revenue collection that will guarantee that Siaya now gets added funding from the Central Government. By so doing the Executive should consider creating income for our youth, employing the youth, the enforcement officers, who will assist in the revenue collection and boost of revenue collection.

The Committee has done a commendable job in recognizing the importance of sports. Majority of our voters are the youth who involve themselves in sports and I believe they have a lot of talent. In equal measure how I wish that the same team, would have allocated some money, some investment in innovation.

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As you realize, the world is going IT right now and there is social media i.e. WhatsApp, IG, twitter, Facebook, used by young people around the world, and including Mpesa. I think its high time Siaya started thinking of investing in research and allocating funds for that.

I look forward to 2018/2019 Budget. I hope we will consider that, and innovation is the way to go, and we really need to open up the spheres because our youths are capable of inventing a lot of things. I also realize that there is an area that has been forgotten. As you realize music industry, art, and movie industry is a big one, which can create opportunities for the youth and we can tap talent from that.

I hope that next time, let's put it somewhere in our minds, we need to allocate some funds, for both music and art generally so that we can boost talent. However, from the money allocated for sports, some of us may decide, to see, to find ways and means of encouraging and to help our people, those who have talents, assist them to get their calling to popularity, and avoid this importation of music from DRC- Congo. You see even people like Koffi Olomide can have better competitors who are musicians in Kenya even in Siaya County.

I would equally like to ask the Executive, now that we have done our bit, to adhere religiously and respect the budget proposals as we have presented to them. Next time we request the Executive to also be specific; I think now we have taught them a lesson because as you realize in the drafts they left a lot of things hanging. As a House, through our able Committee of Finance we have been able to show that this is not a House to joke with.

In the spirit of devolution I would like to request the National Assembly to think, consider and enact the Ward development fund as a matter of priority. This will give us the ability to realize the true spirit of devolution and as said in swahili *maendeleo mashinani*; such that we take more development down at the grassroots and we know best what our people need and how it can be done.

That will enable us have the independence of ... and stop looking up to the Executive as small gods and instead do our true work of sighting the excesses of the Executive. I am impressed my colleagues, you have shown the world that Siaya County Assembly is a House of capable people, is a House of competent Members, a House of educated Members. As you realize some Members of the National Assembly have been suggesting that Siaya County Assembly is awash with semi illiterate people.

This budget as you have worked on it disapproves them and I don't take it lightly because in this House we have PHD holders, I am a registered Engineer, capable advocates and we have professionals in each and every sphere and even if you are class three drop out we represent a constituency that must be respected whether they like or not. I respect the people who have done this job and I support.

Hon. Otiato: Thank you, Hon. Speaker, the only thing engineer has forgotten to say is that we have a policeman and an army officer in the House and those are professionals too. For sure section 9 (e) of the County Government Act says that one of our roles as a Member is to extend our professional knowledge, experience and specialized knowledge in issues being discussed and therefore engineer has given us direction.

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I will give one in the near future for the police and Hon. Booker will give one for the military and water section. I want to be very brief and say that actually as the Chair of Legal and Justice Committee I have seen justice for the people of Siaya especially being that the hullabaloo and the rumors doing rounds from yesterday.

I even saw some in social media and newspaper; this has been turned into something else by the Committee taking a bold step and bowing to some of this pressure. The Committee has taught us that our sole and major mandate of supervising the Executive in terms of allocation of resources; it is this House that has the powers and the final say on the matters allocation of resources to different sectors.

Our mandates are being stepped on by the Executive whose work is actually to implement, it is the duty of Assembly to allocate resources, actually approve the borrowings and withdrawal of money. I am happy to say that possibly former Assembly might have approved the money to be withdrawn for corruption or corrupt cases but this is a very good step.

You look at one of the key things here; as much as the Executive has been slow in implementing some of our recommendations in the House because what has appeared is that Siaya County Assembly has been doing their debate making resolutions which have never been acted on and its now based this that we won't be dictated to, we will only give money, do allocations to sectors that are abiding by resolutions of the House.

I am so happy that I won't have to say anything by supporting this Report when we made a resolution that a Kenyan or somebody from Siaya ought to be given an equal opportunity in employment and somebody went overboard and did it privately, we declared null and void positions and the Executive refused to take an action on it. I'm happy that this Assembly is wise enough not to reward the illegally created office by giving them money.

I am happy with the recommendation of the Community with regards to the action that was taken on the sports ground which has been a white elephant. Kshs. 80million was allocated in the supplementary; today we are still having a swimming pool in the field not being told where the Kshs. 80million is and now they need Kshs.180million. I am happy with the step that has been taken and I am looking forward to seeing that before we are told by any given department to add money into any project; we get the status Report of those particular projects.

That is why we have got the County Fiscal Strategy Paper to inform our budget the deviation that the budget should be in line with that and because someone is not keen on these papers, possibly they don't know the meaning and that is why you walk around and find that when the County Assembly said in their Strategy Paper that the wall should be given Kshs. 35million; somebody comes and says that is nothing and he appended his signature or giving a budget of Kshs. 19million because they don't understand the role of strategy paper.

I am happy that some of our projects like in the past we had money given to the old people almost 90% of the projects which were allocated money in the past years. You look at 2017/18 nothing much was implemented 2016/17 almost 90% of the projects which were to be executed under the Executive if you saw the status Report.

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It was frustrated up to now as we are doing the budget there is nothing that has come from the Executive to explain that actually these projects which were frustrated, we have put these measures in place to implement now we need more money. I am so happy that projects like money for the old including enterprise and SACCO funds were actually given out without regulations but now have been taken care of in this budget.

Mr. Speaker, Sir; I know what was missing but we have talked to the Chair; I represent Yimbo East but along this line we have a half of catering along river Yala. Men and women lost monies and some had taken loans and the money was put on Yala and the whole money is gone. Those monies are gone and while I was looking at this particular budget I have not seen anything on repairing the dykes of river Yala and yet Siaya is an agricultural County and it is where we majorly put our focus on agriculture.

I was talking to the Chair and actually he will even respond to it at the right time. The other argument was economic block; we are dealing with regional economic block and possibly I heard that what is given to us is education and education is center of excellence. Education matters are a National government mandate if we have to do Kshs.100,000,000 or Kshs.200,000,000 to the regional economic block and what we are given is education matters which is a function of National Government we should revisit but I am happy with the step that was taken by the Committee in that matter.

I conclude by appreciating the Hon. House but not forgetting that last time when we gave out money for fertilizers, seeds and tractors we were given one tractor contracted for three to four wards. It cannot happen.

We need a contractor per ward because we have got investors who can do it. We need them per ward so that we know how many acres they have ploughed and payments are made according to work but these other ones were a sham.

Hon. Speaker: Yes, Hon. Linda, Deputy Majority Whip.

Hon. Juma: Thank you, Mr. Speaker, Sir. I will not say much today as Hon. Adala normally says “by reading the mood” it is like we support the Report today. Let me also welcome the pupils from Mbagha Mixed Primary school feel most welcome and get to know that education is the passport for tomorrow for those who prepare for it well today will see the day.

This is a big Report that contains so much arithmetic that someone who was not so good in Math in school like myself will find it difficult to understand, especially if you are given this document at a crucial time like today. Because the Chair had already asked for an apology, I will not dwell much on that. Only that next time we are bringing it to the Plenary please bring it early so that we go and study it well so that when we are talking about it we can go deeply into it.

When I came to this Assembly as a nominated MCA, I asked myself...

Hon. Booker: Point of Order!

Hon. Speaker: Yes, Hon. Booker.

Hon. Booker: I would like to correct the notion that we have been given this thing today. That is not correct! We were given the soft copy earlier and this is now the hard copy.

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Hon. Juma: Thank you, Mr. Speaker, Sir. It is only that some of us don't have the digital phone so that we can access the soft copy. I beg that we be pardoned for that. When I came to this Assembly as a nominated MCA, representing the women one question I asked myself is how I will be efficient in my duty without any allocation or without any money to represent the women.

I congratulate the Chairman for Budget because despite the fact that you have allocated for us some cash which will help us start this process you have created a Ward for the special interest groups. I want to say thank you for that.

However little the allocation is when I look at this Report it is around Kshs. 7.5 million. I am consoled by the fact that there is some Kshs. 200 million allocation in the docket of trade which when we come together as women, youth and people living with disability we can put up a law or a policy and bring it up together with this money we are given today and move the agenda of women, youth and people living with disability.

This Report needs no explanation. I know that the 30 Wards which are represented here by all the MCAs, everybody is happy with it. Who am I as Linda to object? I beg to support. Thank you.

Hon. Speaker: Yes, Hon. Abigael, MCA for Central Gem.

Hon. Abigael: Thank you, Mr. Speaker, Sir. I wish to commend the Budget Committee for giving us such a good Report. It is so simple that even a class Three drop out could read and understand but I have some concern regarding the Executive. They went round, collected people's ideas using public money and then presented a sketchy document just for the Assembly to look for money to take to the Wards. I think next time the Ward allocation should not stagnate at Kshs. 30 million whereas the County Revenue moves up.

With devolution comes decentralization and that can only be achieved within our Wards so next time they try this again it will not be Kshs. 30 million it should even be Kshs. 50 million so that the funds can benefit all the Wards not just a section or a Constituency. Otherwise I stand to support.

Hon. Speaker: Yes, Hon. Shirley.

Hon. Oyuago: Thank you, Mr. Speaker, Sir for this opportunity. I would really wish to congratulate the Committee on Budget for the work done. I support the Report but with some few amendments.

The population of Siaya County is about 842, 300 and we are happy that the committee has created an imaginary Ward that is meant to cover the interest of the women, youth and people living with disability.

Hon. E. Odawa: Point of Order!

Hon. Speaker: Yes, Hon. Odawa.

Hon. E. Odawa: I want to correct my sister Shirley, the 31st Ward is not an imaginary Ward! It is an existing one of which you represent.

Hon. Oyuago: Thank you, Hon. Member, I don't know where the Ward exists but we should not argue over that. It is not recognized.

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The Committee on Budget has created a Ward that covers the interest of women, youth and people living with disability and we shall look at the percentage that comprises the women. 53% of the population of this county comprises the females and that is around 500,000 which is the highest population.

My humble plea to the committee is that the money that they allocated to that Ward and they already split it in the Report that Kshs. 5 million goes to the people living with disability Kshs. 7.5 million to women and Kshs. 7.5 million goes to the youth. I would really request that the committee looks for a way that they can increase that allocation for women to Kshs. 20 million.

You heard when the Chairperson for Budget was doing his presentation and said clearly that the Budget that was presented by the Executive did not capture anything on women I didn't see the specifics on the estimates any project that considered women in it.

I would wish to congratulate the Chairperson for Budget but the warning that we are sending the women that represent us in the Executive, the ones that we passed here, we are soon calling them back. If they can't articulate issues concerning women wherever they sit in the Executive we shall call you back here and choose people who can articulate issues of women in that Executive.

What I wanted to be part of the recommendation of this Report, you said that there is some Kshs. 15 million that is placed in enterprise or trade department, I would wish that you place this to be part of your recommendation that money should specifically go to Women Enterprise Fund. They should specify that in their estimates. Put it directly to your recommendation that that money should go directly to Women Enterprise Fund because they did not specify where that Kshs. 15 million should go to.

Lastly you saw that in the roll overs we have Kshs. 1.7 billion in the FY 2017/2018 that is going to remain part of the development money 18/19. We should look at where the problem lies. We cannot have such a huge amount of money Kshs. 1.7 billion as roll over. The money is meant for development, we should find out where the problem is and that problem should be rectified by this Assembly. I beg to support with the recommendations I have made. Thank you.

Hon. Speaker: Yes, Hon. Audi Member, for South Gem.

Hon. Audi: Thank you, Mr. Speaker, Sir, I believe that if South Gem should have gotten Kshs. 19. 5 million probably somebody would have remained with a lot of money to just to take to the Wards that is if it is deemed fit for him.

I am happy with this Report and I beg Members to support the same you know we have a big problem of Wage Bill where the recurrent expenditure is going above 67%. I am happy this Report also touches it in a way and I am requesting that we look for ways of actually reducing this percentage so that money for development actually reaches the needy

The issue of policy South Gem had something close to Kshs. 3 million that was to go towards women empowerment and we need to --- because up to now I had done what is needed but I was told that the issued policy is at stake. Members, I believe that we support this kind of report to show that Siaya is heading somewhere. Thank you.

Hon. Speaker: Yes, Hon. Adala!

Hon. Adala: Thank you very much, Mr. Speaker, Sir. I want to thank and commend the Committee of Budget led by my friend Madialo. Before I move further, I want to declare and it should go into Hansard that I am officially head of new board that has been created.

So while at it I will speak for the youth of Siaya, and allow me to also welcome the pupils of Mbaga Primary, it is a school that I have visited and had talks with pupils. So when I see them here I know someday they will like to be like me when they grow up.

Well, a good document has been brought to this House which I applaud and in so doing I want to just raise a few issues and reiterate the fact that I also stated here when we were looking at Fiscal Strategy Paper that this cancer of coming with documents at a very late time should stop.

Some of it may not be your mistake but in future I think we should avoid it. Having said that, I am a bit concerned in terms of the budgetary allocation; the document that was submitted by the Executive was amounting to Kshs.7.1 billion and out of the Kshs.7.1 billion the amount we purpose to raise as a County is a paltry Kshs.2.5 million.

It now begs the question that I am even ashamed to stay in a County where we are not thinking of how best to raise revenue locally. I know now we would be safe because of the “Hand shake” which again is temporary and it will be there as long as we are told so by the big men.

So I am a bit concerned with the Executive in terms of the targets we so set towards how we want to foot the budget of Kshs.7.1 billion. It is also so saddening that we have certain key sectors that have got the ability to raise us revenue, and I am not just saying that because am a Vice chair of Health Committee but because Health has got potential if we only invested in a blood bank, oxygen plant and having some of the things that we have seen in this document.

We indeed want to invest a whopping Kshs.1.5 billion over five years in universal Health care which is good enough because most of the people of Siaya cannot afford quality health care. The question that rings in my mind is how set are our health facilities to offer this service? I therefore support fully the idea of universal health care, but the Executive should also be thinking out of the box so that the hospitals we are having are able to tap onto this service once we enroll the people of Siaya.

Got Ramogi festival falls under the sector of Tourism and interestingly again I am a Member because this is a sector that also has the potential to help us raise revenue for the County of Siaya. Sadly, the kind of investment that has been awarded to this sector if you ask me, I would say it is not worth it because we are sitting on gold and we have got the potential to do better than any another region in Nyanza in terms of Tourism.

All this has not been harnessed because we have not invested much on it, how I wished that while allocating funds the budget Committee considered the key sectors that have got the potential to raise revenue for Siaya County and we will not be beggars for the rest of our lives.

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I represent young people of Siaya in this Siaya County Assembly and it is laudable enough that for the first time the Executive didn't factor in the Youth budget and for the first time we are going to have that in Siaya County.

I know that Rome was not built in one day and the budget Committee has allocated 7.5 million which is supposed to take care of Siaya County that starts from Chuma mbili in North Ugenya to Osieko in Yimbo West. Looking at Kshs.7.5 million, we will have to start with it because it is what is in the budget. A beggar has no choice but if I were in that Committee there are certain proposals that I would have slashed and added money to this vote.

We are the MCAs of this area, while we were campaigning I know we were having various meetings with the youth in our various Wards, and I am speaking as somebody who vied and failed. So I also met these youths and was also sharing with them my manifesto that I had for them and I am convinced that all of us met with them.

It baffles me that while we were going round the Wards the Wards are not factoring youth specific projects. How I wish I was not a Member of this Assembly, how I wish I was sitting in your Ward! At the end of today once we have passed this report because I have already read the mood anyway, I would come and ask you Hon. Nick Ochola, is there anything directly for the youth? The answer would be No!

When we talk about youths we are not talking about sports, this is where you get it wrong. So I am also appealing to my elected colleagues that while we campaign and flower the youths with all the literate evangelism solemnly unite to make us get votes. But when it comes to process of making budget we must also be jealous towards that group. I am certain that the documents submitted by Ward reps, representing the party none of them has got a youth project. If I am wrong tell me now!

Hon. Speaker: Yes, Hon Audi!

Hon Audi: Hon. Adala, I assume you didn't go through the supplementary budget; South Gem had Kshs. two million towards youth empowerment which hit a snag due to policy issues.

Hon. Speaker: Hon Members, time is not on our side let's not be repetitious, let's try to be as brief as possible and just to clarify that Ward representatives do not bring proposals; these proposals come from the public.

Yes, Hon Adala!

Hon Adala: Thank you, Mr. Speaker, Sir, and Hon. Audi, you are one in a million. A leader is expected to guide and I think why we do public participation is to collect views of the people. My advice is that in the next Financial Year as a way of even making our lives easier for those of you who will be vying anyway! Let us think about this group.

Finally, while doing his submissions the chair eloquently stated that Kshs. 500,000 has been set aside for sports. I support that because we have to nurture talents; but I am asking myself what is the end in sight. When we have a tournament for example in South Sakwa, we invite the youth to come and play and at the end of the tournament we give the winning team some cash and some awards and it stops there.

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I support the recommendation to set aside the Kshs. 500, 000 but in the next financial year, we should do things with an end in sight so that we can also have a running league which can also harness the talents of these youth.

Finally, there is this part where the Budget Committee is saying that there are people who were employed irregularly and so we need to deny them of payment. What has been lingering in my mind since I read that part is the fact that the Executive had appointed these persons and there was a contract in place; now, we are not advancing some amount to them.

So the question is, what is the fate of these persons? Will they be sacked? And if they are sacked, what happens to the contracts they had signed? We are going to put the County in a situation where I am sacked today and I immediately rush to court and say I need my money. That is the only ambivalence I am facing.

(Hon. Otiato rose on a point of order)

Hon. Speaker: Yes, Hon. Otiato, what is it?

Hon. Otiato: Mr. Speaker, Sir, is the Hon. Member trying to tell us to pacify an illegality by awarding money to corrupt dealings?

Hon. Speaker: Hon. Members, I think we can proceed. Hon. Adala, I think you are done; or is there something you haven't mentioned?

Hon. Adalla: Yes!

Hon. Speaker: I am giving you a minute.

Hon. Adalla: Thank you, Mr. Speaker, Sir. I like you because you are always intelligent and wise that----

(Laughter)

You know that when I am not yet done you allow me one more minute.

(Laughter)

Thank you so much. Just a point of information, Hon. Otiato, I used the word ambivalence. So, I will refer you to the dictionary for the meaning of that word.

As I finalize, I recall that the chairperson said that budget making is a political process. Let me just add that it indeed it is a political process whose sole goal is to benefit the people that we serve as opposed to ourselves. Thank you. With the powers conferred upon me, Mr. Speaker, Sir, having read the mood of this House, the Mover can reply. Thank you!

(Laughter)

Hon. Speaker: Yes, Hon. Susan Okwiry, Member for West Gem. Members, let us not repeat ourselves.

Hon. Okwiry: Thank you, Mr. Speaker, Sir. Allow me to first thank the Committee for a job well done. Now that my fears and those of the people I represent have been overtaken by events, I can now adopt the Report.

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Mr. Speaker, Sir, our fear was on the Kshs. 19million Ward money that had been proposed by the Executive and we were really wondering how that will cut across our Wards. Budget is a tool and we as legislators are the workers. When the tool is suitable for what it is meant for then the worker will work satisfactorily. Thank you.

Hon. Opang'a: Thank you, Mr. Speaker, Sir. First and foremost, let me congratulate the Committee for a job well done.

In the budget we have Kshs. 200million for the lease of medical equipment. It will be my joy if I will be able to leave North Ugenya where I come from and be in a position to access these equipment that we are allocating money for. The Health Committee and the Department of Health should work in conjunction so that our people are able to enjoy these services.

Secondly, just as other Members have talked about the roller over projects, I want to say that, just from the Chairman's own words a few minutes to the debate of this Report, it is when we are receiving the figures and we are not quite sure if they are correct.

I would kindly request that before you submit this Report that we are going to pass, attach reports of projects to be rolled over in each and every Ward. Our concern is that it might be Kshs.1,763,014,403 whereas the actual figure might be even much lower. So, in a bid to seal loop holes and save money for other things, consider that.

Thirdly, in the FY 2018/2019, we have Kshs. 30 million allocated to each and every Ward and now I can go back to my Ward and tell the people I represent that as an Assembly we have heard their plight and up scaled the amount going to the Wards from Kshs. 19 million to Kshs. 30 million. It is my request that the Executive should think of up scaling this amount each and every year. Thank you. I support.

Hon. Speaker: Hon. Vincent Odawa, Member for North Alego. Members let us be brief please.

Hon. V. Odawa: Thank you, Mr. Speaker, Sir. Before I contribute on this Motion, I would like to take this opportunity to welcome teachers and pupils of Mbaga Primary School. I would have welcomed them earlier as their representative but unfortunately, something went wrong somewhere. This is a model school and that is why some Members rushed to welcome them before I did so.

(Laughter)

I also want to commend the Budget and Appropriations Committee for a job well done and also appreciate their very articulate chairperson. I am happy with their recommendations especially the one on illegal recruitment of staff. As the chairperson of the Governance and Administration Committee, we did receive the Petition and recommended that the recruitment be declared null and void; that whatever we have recommended will always be taken seriously. I really thank them for particularly taking to account the so called ghost workers. I support this Motion by the budget Committee, thank you.

Hon. Oduor: I would like to take this opportunity to also thank the budget Committee for the work that they did. I agree with it 99% because I know it cannot be 100%. I know this Hon. House was not happy with the Kshs.19Million and many other things that are in the budget.

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As the representative of Ukwala Ward I was to allocate money for health centers but now I have gone through the budget and I have seen that I cannot allocate anymore. The Kshs. 2.5 Million per health center has been taken care of. Another one is the Kshs. 85 Million that went to every health centers in the County; that was a good job.

There is only a grey area where I saw something that isn't good but at the same time I have seen you also noted it. There was an increase of 0.68% on salary of trade and enterprises. Truly speaking there is no way that we can have a salary increment of 0.68% for example we know that the annual increment per person cannot be less than 5% so I have an issue with and its good it appears on your recommendation.

Last but not least I am very happy that in your Report there was revenue purported to have been collected of Kshs. 275 Million for this coming Financial Year. Last time it was Kshs. 270 Million, I know they cook figures and even in this one they have cooked. It is not realistic and if I am not wrong or if I am wrong I know I am going to be in that Committee and I will see what they collected this Financial Year if it really came to Kshs. 270 Million.

I know that there will be some projects which will not be realized because of the revenue collection. There will be a shortfall of revenue collection; Members, they are not going to spend everything that they have budgeted for because they are not going to get that money. Be prepared that not all the projects that are here in your ward will see them implemented. Lastly...

Hon. Speaker: Order! Hon. Adalla; do you have a point of order?

Hon. Adala: Mr. Speaker, Sir; I get somehow worried if Hon. Oduor is saying that what we are discussing here all of it will not be implemented because we may not raise revenue. I don't know how well his vast that.

Hon. Speaker: Hon. Oduor, can you address the concerns of Hon. Adala?

Hon. Oduor: Hon. Adalla this one came from the Committee we had when we were talking to the revenue officer. He told us that they only put this as a figure and in reality it is never there and for that matter is aid that I support this but I would request that next time when you are making the budget make sure that the finance Chairman is one of them, thank you.

Hon. Oyuago: Mr. Speaker, Sir; the Hon. Member has made a serious allegation that he needs to substantiate before this House. It seems we are doing nothing; these people misled the entire budget. This is a serious document that shouldn't be misled. You must substantiate your statement or withdraw.

Hon. Speaker: From where I sit Hon. Members, I have all along been thinking Hon. Peter Oduor is campaigning to be a Member of the Budget team.

Hon. Wandera: Thank you, Mr. Speaker, Sir; for giving me this opportunity. Ugunja sub county, more so Sidindi ward will soon be misled to Western. I will say this with observation made from the reallocation to health facilities on page 35 where that list doesn't cut across the County. We have all dispensary and all health centres but we don't have all the dispensaries.

My counterparts from Ugunja and Sigomere did not talk on this because Ugunja and Sigomere are catered for in page 23 with the money from the UHC. I stand to express concern

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over this so that further amendment be done so that the three facilities appear number 20 on that list because there is no money allocation so that even if they appear they will also benefit.

On page 23 over the UHC fund; we have got the equipment and you know the equipment of a facility is immeasurable and financially measurable because we don't know what to equip and we don't know the cost.

I am proposing a further amendment that the hundreds of thousands be added to the facilities on page 35 because that region earns this good County revenue in the tune of Kshs. 9Million per year. I am concerned that why is it that when it comes to revenue; it really earns revenue for this County in a big way. Otherwise I recommend this Report except we include the issues.

Hon. Odhiambo: I also want to commend the Chair of this Committee plus his team for a job well done and I believe that we will adopt it. On behalf of South Sakwa ward I stand here to support and I want to say that we want to pass a document which contains the development issues and recurrent budget.

A document which can be described further as bible of Siaya; I want to say that so many people have articulated whatever is in the document and I know as much as we commend the Report from this Committee it means that everything inside is taken care of.

I know it might not be 100% but 98% but I want to advise Hon. Members that now what remains is the implementation part. Of which we are part of and it's not necessarily the Executive. If you can walk in every department you will realize that each department has mission, vision and a charter which entails all the undertakings of the department.

Let us walk in to these departments and know what is supposed to be done and at what time. It is quite absurd that we have very big money and I don't know whether it is small for the County but it is quite absurd that almost a quarter of these funds get back to the central kitty. Why?

You realize that the recurrent money is what is of huge percentage and the development money is of a small amount. Why is it that the recurrent money is being utilized almost to the negative while the development money is being taken back and it is the smallest?

I think there is something wrong somewhere that needs to be corrected and therefore as much as we support this document, I want to make sure and I want all Hon. Members from today we are passing it let us make sure we follow each and every project be it the Ward development or the Executive.

Let us help the Executive implement these projects and whoever will mess up with it just as I said the other day that this will be the last place he/she will land on. Otherwise I support. Thank you.

Hon. Speaker: Hon. Members, except when you must talk. Time is not on our side. Yes, Hon. Ochola.

Hon. Ochola: Thank you, Mr. Speaker, Sir. I want to take the shortest time possible. We are humbled as a committee because of the commendations we are receiving from Members. You realize that this was a very tedious task, balancing between what the Executive brought

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which they thought was a project and what we gathered from the public and several sectors and we came back with a document which took the committee a lot of brain work to come up with this document.

We want to assure this House that we came up with a balanced document as the Chairman has said...

Hon. Speaker: Are you replying?

Hon. Ochola: I am not replying. I am just contributing.

Hon. Speaker: Confine it outside a reply.

Hon. Ochola: Thank you, Mr. Speaker, Sir, for the guidance. I wish to join the Members who are supporting this Report that would pass it as a good document done for the people of Siaya.

(Applause)

Reading the mood of the House...

(Laughter)

Hon. Speaker: Order! Hon. Members Hon. Ochola is on the Floor. Precede, Hon. Member.

Hon. Ochola: Allow my Chair to reply since I was not replying.

Hon. Booker: Point of Order!

Hon. Speaker: Yes, Hon. Booker.

Hon. Booker: If a Member is confused he must not contribute. Thank you.

Hon. Speaker: Yes, Hon. Kinyanyi, Member for Yala.

Hon. Kinyanyi: Thank you, Mr. Speaker, Sir. I think everything has been said, let me withdraw because of time.

Hon. Speaker: I have been very mean to the Members of the Committee on Budget unless you really want to speak. Yes, Hon. Mboha.

(Loud consultations)

Hon. Mboha: Nashukuru sana Bwana Spika kwa kunipa nafasi hii. Langu ni jambo moja tu. Nataka kuchukua fursa hii kushukuru wananchi wote waliotokea kwenye mkutano tuliofanya kujadiliana maneno ya Bajeti. Nataka kuwasihi wachukue fursa wawe watu wanaangalia yale ambayo tumepitisha hapa yamefanywa tulivyojadiliana. Tuchuke fursa hii kuhakikisha yale ambayo tumepitisha hapa yamefanywa. Jambo langu ni kushukuru wanachi wote kwa hayo.

Hon. Speaker: We thank God you contributed when the pupils had gone.

(Laughter)

Yes, Majority Leader.

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Hon. Oor: Thank you, Mr. Speaker, Sir. I rise to congratulate the Chairman and his team for a work well done. The work they have done is perfect and I know that this Budget will give other Wards the way of doing a good job in their Wards.

First, the Siaya Community Library is being considered for Kshs. 5, 800, 980 while we have other libraries we have not considered so I request for amendment in this area.

Secondly, I want to request that youth and women should be given tenders for construction of rural access roads within the community to improve their income in the community. I have seen some roads which were repaired by women and youth which were perfectly done and they were using *jembes*; so if you can allow that request, consider that one after this Budget has gone through.

Thirdly, monitoring of projects should be a serious issue because some projects use low quality materials. Lastly, contractors should be supervised properly so that public money is not misused. I beg to support this Report.

Hon. Speaker: Yes, Hon. Odongo.

Hon. Odongo: Thank you, Mr. Speaker, Sir, allow me to also congratulate the Committee on Budget for work well done. It would have not augured well if a very senior man like me had been denied the chance to air out their views and yet the Members whose Wards have just been created in this House today have been given a chance to air their views. Mine is only to support...

Hon. Oyuago: Point of Order!

Hon. Speaker: Yes, Hon. Shirley.

Hon. Oyuago: Thank you, Mr. Speaker, Sir. Hon Deputy Speaker, you need to withdraw your statement. Where were you? We didn't even see you carry up your hand. You wanted the Speaker to point at you yet you didn't raise your hand. How senior are you? Can you prove to this House how senior you are?

Hon. Odongo: Thank you, Hon. Shirley. I think everybody is aware I am senior from Ward level.

(Laughter)

I cannot withdraw that comment I think all Members that are here and elected Members are seniors from their Wards. I support.

Hon. Speaker: He has supported the withdrawal.

(Laughter)

Yes, Hon. Omoro.

Hon. Omoro: Thank you, Mr. Speaker, Sir, and the entire House. I am privileged to be in the Committee on Budget which has presented this document. The fact that I am in the Committee on Budget does not deter me from supporting the document so that it is on record that as a representative of the East Ugenya Ward I supported it.

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I am therefore happy that in spite of the vigorous challenges we met during the Budget making process, the process was tedious, mind boggling and time consuming, we sailed through. When eyebrows were raised, people were running up and down in suspicion thinking that maybe through some dubious means the Budget was being regulated and therefore I thank all Members for supporting this

Hon. Otiato: As much as we are running up and down, possibly with our Standing Orders, there should be some formalities otherwise I am wondering who these people wandering up and down are! Can he clarify who they are or he withdraws

Hon. Speaker: Honorable Omoro, are you part of the team that is running up and down?
Kutanga tanga

(Laughter)

Hon. Omoro: Okay, Mr. Speaker, Sir, it is evident that yesterday, there was----

(Loud consultations)

Hon. Speaker: Finally. Member for West Uyoma, please you are the final, and then the Mover will reply.

Hon. Olasi: Thank you, Chair. I am part and parcel of the document so I won't comment on it, but two issues came up during debate. One. The Hon. Member for Ukwala, who happens to be the Chairperson of Finance and Trade, telling the House that the target of Kshs. 270 million is totally unachievable.

As the Chairperson of that Committee, what has he done? So that he can inform the House, that the figure you are putting in the Budget is not achievable, so this is the way forward. Secondly, this House has come to learn, and it is the naked truth, through the Honorable Member, Shirley Oyuago. Oyuago there is this Constituency that has been created today, and again, she brought this point home. That while this House passed three ladies, by the way, three doctors; we have Dr. Omondi Tourism, we have a Daktari Education, We have a Daktari in Health.

These three doctors, these honorable ladies Waziri, did not think wise to bring this Constituency that they represent in a very special way, because they got those positions given and proven. I think this House has a Major focus, Chaired by the Honorable Member for North Sakwa, very capable. What are they doing as a Constituency that is so strong?

Hon. Shirley talked of recalling; in short she was talking of impeachment. That's true. This kind of constituency that is created today and with the Honorable Members suitable and I know, that are kind of leading Siaya, somewhere, kindly call these Honorable ladies to your focus. Let them brief you where to take Siaya in terms of gender.

As I conclude, seniority in this House, I need not to explain, but the Honorable Member and the Deputy Speaker of this House, when he starts talking seniority, in the presence of the

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only Mayor in this House, and I believe he is the only Mayor in the whole of the other 47 Counties. I beg to differ with his seniority. I beg to put my contribution to a halt for now, Thank you so much.

(Laughter)

Hon. Speaker: Hon. Members, I want to call upon the Mover to reply. Hon. Peter, you had something? Or you will address us in your next Report.

(Laughter)

Hon. Madialo: Mr. Speaker, Hon. Peter is mind boggling. I happen to come from Usonga which is neighboring West Ugenya, and since Mheshimiwa Oduor Odongo has no supporter, let me support you. One, he is Andericus, the oldest name here.

(Laughter)

Two, he is the Deputy Speaker which says Senior, so, you are senior Honorable Odongo.

(Laughter)

Mr. Speaker, the quality of materials, Hon. Majority Leader, if you look at the main budget, there is provision for Laboratory for testing of materials. Library, I think you have misread the Report. We did not allow the allocation for the library because it is still in the hands of a CBO. It belongs to individuals, and we have directed that a policy touching on the library is put in place.

Mr. Speaker, on roads, how do we work on roads? The Majority Leader did not ask us to provide jembes, for undone roads, so we didn't provide. I want to address the roll overs. The rollovers cannot be less than what they have given us, and it cannot be more, because if it does, there will be a deficit in the budget or an over budgeting which the controller of Budget will not allow. So, they must be exact, which they are.

I am a bit concerned by the contribution by the Chair of Finance Committee. I have to point out, that all Sectoral Centers and finance is a Sectoral Centre. They did not give us their concerns in the Budget, but I do know that Mheshimiwa Peter did not tell us that there was a problem in the projected collections.

I want to also correct a notion. If you look at page 35, Members, a Report by the Honorable Abigael. From the Health sector, she attached the recommendations, and the views of the sectoral Committees, so kindly do not put what Hon. Abigael had put in her Report, as the Report of the Budget Committee.

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That is some of the evidence of some of the documents we looked at in arriving at this Report. Bring the Report early; I think we have explained it over and over again, it was not possible.

It is important that I note you pointed it out. That we mentioned that the allocation of Kshs.30million is minimum, but I want to reiterate that the allocation is the minimum. Lastly on the concern of Mheshimiwa Opanga, on the list equipment, I have read the recommendations by the Health Committee to the Executive, and the Health Committee Chair had recommended that there be full equipping of Sub county facilities so that all the sub county facilities get as much modern equipment as possible.

We pray and hope that the County will be moving in that direction. Allow me, Mr. Speaker, to thank everybody who has contributed and supported the Report. On behalf of the Committee I must say I am quite humbled, and on behalf of the Committee, on my own behalf, and on behalf of Mheshimiwa Omoro, that I don't think people were running, no. People were searching for the truth and they had a right to such.

I don't think they should be held to account for searching for the truth, and to me, that type of agility and being on the lookout, that is oversight, and we should encourage it. We encourage that people should always look for the truth.

Mr. Speaker, because they have said that the Report is very good, I urge that we unanimously adopt it

(Question put and agreed to)

Hon. Speaker: So, the Budget Committee, ensure that proof reading is done, and proper check undertaken, Members and concerned persons agree on the content before submission to the Executive. Next Order!

MOTION

ADJOURNMENT

Hon. Members, there being no other Business, will you be upstanding for adjournment?

Hon. Members, there being no other Business, this House stands adjourned until Tuesday, 3rd of July, 2018 in the Chamber at 2.30 p.m.

The House rose at 6.24 p.m.