

Wednesday, 3rd October, 2018 COUNTY ASSEMBLY OF SIAYA DEBATES

REPUBLIC OF KENYA

SIAYA COUNTY ASSEMBLY

THE HANSARD

Second County Assembly - Second Session

Wednesday, 3rd October, 2018

The House met at the County Assembly Chamber at 9.30 a.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

ALLOCATION OF MONIES TO THE COMMITTEES

Hon. Speaker: Hon. Members, once again welcome from recess, I know we opened last week and yesterday we were at the chamber. Allow me to make the following communications;

We are all aware that last week we had a meeting in Kisumu where we were reviewing our Standing Orders and some of the things we talked about were the idea of creation of the Welfare Committee, the Investment Committee and special allocation given to women caucus in the spirit of legislative summit. We are winding up the report and secretariat is doing it and it should be tabled this week for consideration especially in line with the amendments.

Allow me also to communicate that Liaison met early last week on Monday and allocated monies to Members which should be circulated as follows;

1. Committee on health services was allocated Kshs.2.5 million
2. Committee on Education, Youth Affairs, Gender, Sports and Social Services was allocated Kshs. 2.7 million.
3. Public Works was allocated Kshs.2.9million.
4. Committee on water and irrigation was allocated Kshs.1.9 million.

I think you will have the copy with you. Have you circulated the copy? Circulate the copy so that I don't have to read everything, but what is clear here is that the Liaison Committee disregarded the spirit of Legislative Summit which was that you allocate women money. You lumped it together.

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I am told that you considered putting everything under Education, Youth Affairs, Gender, Sports and Social Services which will be a challenge because usually when we have Committees we divide the number of people we have, the activities we have and within maybe two months we will have exhausted the money. So when we will want activities for the youth, there will be no money for the women caucus but I want to respect the decision of the Committee. You receive what is feasible because we have to empower women as an Assembly.

The other one is; we talked about the special interest groups which is the youth and the disabled. It is very easy to assume that they fall under Education, Youth Affairs, Gender, Sports and Social Services but sometimes not. We will see how to deal with it because we must be seen to be youth and women friendly over and above the general Committee works.

We talked about welfare and as I told you welfare is very key, we need as a Parliament to have a welfare Committee in place that will sometimes lobby around and coordinate our welfare issues. We will equally see if we pass it then we will see how we can start a movement.

Otherwise, I thank the Liaison Committee for putting this to rest when we know we have a total of Kshs.40 million with us within the 22 Committees that we will now plan with. But make sure that we plan our activities in such a way that it does not conflict. Just this morning I was in the office and about two or three Committees want to go out at the same time with membership cutting across.

So that becomes a challenge in the raising of quorum and contributions for the Members. So let's try as much as possible to coordinate our activities outside the precincts, within Liaison and also coordinate with the office of the Speaker so that work is done and we don't also compromise the quality.

We have a lot of pending activities; we want to call upon the Committees to ensure that the pending work is finished, because as you are all aware, by 25th of this Month, we should be breaking again for a short recess, for about two weeks. When we come back again on the first week of December, we will go on our long recess.

It would be suicidal if we end this year without bills. On the same note, all the legislative proposals which are within the Committees, we are giving you a deadline of Friday this week, if you will not have given report, we will proceed with what is there, for publication, then it will be brought back by way of first reading.

So that by the time we are leaving in December, we will have done amendments, say on the Education Act, and also the legislative proposals, we will be done with them, so that we can also be proud as a House, that does oversight work, and can demonstrate legislative abilities, by counting the number of bills we have passed or amended.

Having said that, I just wish you a nice stay and interactive session in the Assembly. Next Order!

STATEMENTS

CECM FINANCE

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Hon. Oduor: Thank you, Mr. Speaker, Sir, I want to bring to the attention of this honorable House that as a Committee we received two responses to Statement requests by Hon. Abigael Awino and Hon. Andrew Omwende. Surprisingly, it came to our attention that the author of the two responses; Mr. Hesbon Mariwa, who was purporting to be the Chief Officer Finance and Economic Planning is a stranger in the House because he is not recognized by law.

The Committee has on several occasions, based on the resolution of the House brought to the CECM Finance and Economic Planning, requesting for responses to Statement request and even went further to invite him to a Committee Meeting such as:

On 7th August, 2018, the Committee wrote to the CECM to respond to statement request by Hon Akuno, on suspension of officers from the accounts department, and also clarify the circumstances under which Hesbon Mariwa was appointed without due regard of law to be the Chief Officer Finance.

Secondly, on the 22nd August, 2018, the Committee wrote to the CECM, based on the resolutions of this House, to provide an in depth report of the specific projects PMCs claims, amount that have been paid on each Ward and period.

Third, on 14th September, 2018, the Committee wrote to the CECM again as a follow up to its letter dated 22nd August, 2018, on the implementation status of Siaya County Project Management Policy 2015.

Four. On 14th September, 2018 also, the Committee invited the CECM to its meeting to address the issue of the delay of him responding to its various letters it earlier sent.

Fifth, on 14th September, 2018, the Committee also wrote to the CECM, as a follow up for a response to the Statement request by Hon. Andrew Omwende and Hon. Abigael Awino.

The CECM has also failed to respond to our letters and also honor the Committee invitation. It is therefore on request, that you give direction on the conduct of CECM Finance and Economic planning and the status of Chief Officer Finance; by, if possible escalating the issue to the Committee on General Oversight.

Hon. Speaker: Hon. Members, the Committee of Finance has sought the direction of my office in so far as determining whether or not an unauthorized officer can communicate to the Assembly, or the Committee of the House, I will give that determination or ruling next week. I have also gathered from the presentation, a frustrated Committee, when witnesses refuse to come or honor invitations. I will also guide the House on how to deal with such next week.

As a House, we will not allow being frustrated, and when someone is uncooperative, then in the political parlance we normally say we will revisit, and the House will revisit our association with the people who have a constitutional responsibility to report to this House.

Next Order! Before we move to the Motion, is there any Member who wants to say something, or about other Statements, anybody with anything? Yes, majority Whip.

Hon. Olasi: Mr. Speaker, I feel sad for my Hon. Chair Finance, giving very valid points confirming that the Committee has called the CECM Finance before them, who has; (I would use the word deliberately), refused to honor the summons.

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Some of these things, you have concluded that you will give us direction next week. I did not hear my Honorable Chair talking on behalf of Chairperson of Education on the issue of Bursary. We know that the Bursary, the one released in January, was only released to us on the 14th of August.

Before we went for recess, we were informed by the *Waziri* of Education that the money for the other batch was already released. I don't know whether some Members have information that maybe I am lacking. I am from a Secondary school that has confirmed that in the next two weeks, the exams will be on, the children and the students are at home.

We are tired of writing letters, to allow our students if not children to be in school. This is a sense of disrespect to this Honorable House.

How I wish he could remain to tell us that by tomorrow he will give us direction because as he put it, the CECM Finance puts himself to be on top of everybody else as far as the ranking or the other departments are concerned. We cannot sit here and clap when things are not working for the people of Siaya and how I wish you could give us even the day after tomorrow. Thank you.

Hon. Speaker: Yes, Hon. Opanga

Hon. Opanga: Thank you, Mr. Speaker, Sir. I am at pain on the issue of bursary. I have several evidences in terms of SMS from the students from those various institutions. Some of the institutions have gone to an extent of threatening to bring the police officers on the pretext that the letters that they were given were forged because when the accountants depending on the dates that you were told that the money was sent, go confirm in the account and the money is not there. The entire problem goes back to the student.

I would kindly urge Hon. Members to be in the House. It is not written anywhere that the County Government was told to pay the institution through direct transfer. That method has failed and I kindly request that we revert to Cheque, whether they will give us those that will bounce that is not our problem.

Our problem is you must give evidence that the money was sent to this institution because where it has reached as the CO for education is telling me I go confirm at the department and not at the institution. The institution wants to know the reference number for the money transfer and to know when the money was sent. If it gives me a different date I go and send it to the institution the money was not sent.

In your wisdom I would kindly request the Hon. Members, the issue of direct transfer has failed terribly! Now that the IFMIS is back, we demand by next week the balance should be paid; we don't want to know where the money will come from. If somebody used that money, that is not our problem. We want it to go on record that by next week from the Education Department; we want the balance of Kshs. 37.5 million paid to various institutions. In the subsequent bursary let them use Cheque. Thank you.

Hon. Speaker: Yes, Hon. Shirley

Hon. Oyuago: Thank you, Mr. Speaker, Sir. Still on the same line of argument, what worries a lot is that we have only one month and our form four students are getting out of school,

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so the assurance I want from the Committee on Education is when the balances that is meant for the students who are form fours are going to pay within this one month because the County Government has a challenge of taking the money to schools after the students have finished school.

There is nowhere that they have proved to this Assembly that. They always create an excuse go and trace these money that they always send to the schools. I have seen the Committee on Liaison has allocated a huge amount of money to the Committee on Education. Who is failing this House? We want assurance from this committee whether the money shall be sent to the school within this one month. Thank you.

Hon. Speaker: Yes, Hon. Felix

Hon. Okumu: Thank you, Mr. Speaker, Sir. I want to stress on the issue and I don't want to be particular on my Ward but I expect an explanation. It has fully destroyed the name of MCAs the way the bursary has been conducted. It has led to 99.99% destruction of Siaya.

(Applause)

It needs thorough tightening. I wonder because even some campaigners of mine I just keep funding them. You just keep on thinking it is easy. It is very stressful, let the Assembly follow up that issue.

(Laughter)

Hon. Speaker: Point taken. I am also aware somebody has come to the office. In your informal circles, tell them the Hon. Speaker says he has received notice of impeachment. I will disclose to you well the day I will admit it but it has come to my office.

(Applause)

Yes, Hon. Shirley

Hon. Oyuago: Thank you, Mr. Speaker, Sir. I want to get it clearly. You received some impeachment Motion, table it here. Who should be impeached?

(Laughter)

Hon. Speaker: It will be known next week

Hon. Olasi: Thank you, Mr. Speaker, Sir. I tend to agree with you. We have known ourselves. This is now our 13th month here. By disclosing now who is in the radar of impeachment, some people will make them a tool to work for their little servants. Keep it to yourself. We cannot make Siala Apartments to be an office of a very important office in Siaya!

Hon. Speaker: Soliciting of money is out of contest. It does not apply, I know my people. They know what they want. They can't take money at the expense of the people.

MOTION

ADJOURNMENT

Hon. Speaker: There being no other Business, this House adjourns till today Wednesday, 3rd October, 2018 at 2.30 p.m. in the Chamber.

The House rose at 10.00 a.m.