

Thursday, 19th March, 2020 COUNTY ASSEMBLY OS SIAYA DEBATES

REPUBLIC OF KENYA

SIAYA COUNTY ASSEMBLY

THE HANSARD

Second County Assembly-Fourth session

Thursday, 19th March, 2020

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

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

PRAYER

COMMUNICATION FROM THE CHAIR

ALLEGED GROSS MISCONDUCT AND BREACH OF PRIVILEGE

Hon. Speaker: Hon. Members, I would like to make the following communication. We are keenly monitoring the corona virus situation, and we will be updating you from time to time, so always be on the alert.

Secondly, I would like to make a communication an alleged gross misconduct and breach of privilege by:

1. Hon. Ambrose Akuno, MCA for West Asembo.
2. Members of the Committee of Public works, Road transport and Communications.

Hon. Members, as we are aware, the conduct of the Members of the Assembly is guided by Chapter six of the Constitution of Kenya 2010, the leadership and integrity act, Powers and Privileges act, the specific leadership and integrity code of conduct and ethics for Members and the Standing Orders and the general practice of Parliament in the Common Wealth.

Hon. Members, a breach or the contravention of the stated instruments amounts to the institution of investigations with a view of exercising disciplinary proceedings.

Hon. Members, I wish to state as follows:

- A. On the matter of the Hon. Akuno, it is alleged that the Member has in the recent past made adverse allegations in social media, radio which is established to reflect adversely on the integrity of the County Assembly or in the Members or to be contrary to the best interest to the County Assembly.

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The said allegations were to the effect that the House Membership was bribed to give favorable verdict on the ongoing investigations in the use of bursary funds by the Executive, a matter which we are all aware that is still currently under investigations and no report has been brought to this House.

The said allegations if established would amount to contravention of the following provisions of specific leadership and integrity code for Members of the County Assembly signed by the Members.

1. That a Member shall to the best of their ability report truthfully on all matters of the House.
2. Carry out duties of their office in a manner that maintains public confidence in the integrity of the office.
3. A Member shall not knowingly give false or misleading information to any person.
4. A Member shall not falsify any records or misrepresent information to the Public.
5. A Member shall conduct their private affairs in a manner that maintains public confidence in the integrity of the Assembly.
6. A Member shall not use social media on a manner that is prejudicial to the public interest, National cohesion, or that which otherwise constitutes a breach of the law.

B. Hon. Members, the matter on Committee of Public Works, Roads, Transport and Communications, I wish to state as follows:

It has come to the attention of my office that the activities of the Committee are almost being paralyzed and rendered dysfunctional by accusations and counter accusations by its Members.

There have been accusations in the print media, social media, and radio and by the other Members within the County Assembly establishments on various acts that border on misappropriations. The allegations include acts of bribery, conflicts of interests, and other various acts of breach of privilege.

It has also come to my attention that a plan to discharge the Vice chairperson of his duties on grounds of alleged gross misconduct. To be precise, the sponsors of the no confidence vote have stated that ‘we no longer deem the Chairman and the Vice Chairman to be fit of holding the positions, because the altercations through the daily Nation newspaper on 16th of March 2020, amount to bringing the Committee into disrepute.’

There have been other allegations that some Members to the Committee were:

- i) Working in the interest of contractors
- ii) Are contractors
- iii) Using their positions in the Committee for personal benefits.

Hon. Members, the application of the Chapter 6 of the Constitution of Kenya 2010, the Leadership and the Integrity Act expects State officers to be impartial in conduct of their affairs.

The allegations if proved would amount to breach of Section 16(e) of the Powers and Privileges act, which expects Members to conduct themselves in a manner which in the opinion of the Committee is intended or is likely to reflect adversely on the integrity of the County

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Assembly, or of the Members to be contrary to the best interest of the County Assembly and its Members.

The said allegations if established would amount to contravention of the following provisions of Leadership and Integrity code for Members of the County Assembly signed by all of us.

1. Confidentiality: Subject to Article 35 of the Constitution, and any other relevant law, a Member shall not disclose or cause to be disclosed any information in his or her custody to any unauthorized person
2. Conflict of interest: A Member shall use the best efforts to avoid being in conflict of interest. A situation where their personal interest conflict with their official duties.
3. Misuse of personal information: A member shall not directly or indirectly use or allow any person under the offices authority to use any information obtained through or in contravention of being the Member of the County Assembly which is available to the public domain of furtherance of any private interest.
4. Impartiality: A Member shall all times carry out Parliamentary duties with impartiality and objectivity to the principles and values set out in article (10) (27) (73) and (232)
5. Use of Social Media: A member shall not use social media in a manner that is prejudicial to public interest.
6. Political and other Influence: A Member shall exercise independence in the discharge of their duties and shall not allow themselves to be subjected to political or any other internal or external influence that is detrimental to the public interest.

Hon. Members, I acknowledge that the no confidence notice is proper within the mandate of the Committee Members. However, I am convinced that the issues in the Committee are greater than can be handled by the Motion alone.

A Motion if considered will only be dealing with symptoms and not the cause of problems alleged to be bedeviling the Committee. For example if the leadership is changed, there is no guarantee that it will address the other serious allegations against the Committee and part of its Membership.

Therefore I first advise that the allegations be first dealt with conclusively, after which the alleged Motion can proceed if need be, if still it's in subsistence and relevance, and at conclusion, the deliberations of the investigations report.

I want to warn Members against the misuse of social media and leakage of Committee deliberations, misuse of official information, misleading the public, falsification of records and those actions which amount to gross misconduct which can lead to disciplinary measures against Members who are in breach.

Hon. Members, I am also aware that it has been a concern that the radio stations and newspapers have in many occasions depicted the Assembly at falsehood and misleading information. The management is watching and will consider taking appropriate legal actions against reports which are false.

In conclusion, I direct as follows:

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That the term of the Powers and Privileges Committee having elapsed, by resolution of our amended Standing Orders, an Ad hoc Committee comprising 5 Members be formed to perform the functions of Powers and Privileges Committee chaired by the Speaker or his Nominee and investigate allegations against Hon. Akuno and the Membership of Public Works, Roads, Transport and Communication Committee and report its findings and recommendations to the House within 30 days.

The said time frame will take into cognition the prevailing National Pandemic, Security Policy and Situations, e.g. the Covid-19 Situation. The Chair of the Committee of the Committee other than the 5 Members shall be the Speaker or his Nominee as per the aspirations of the Privileges Act.

In selecting the Members of the Committee, the Whip and the Majority party Leader should put into consideration impartiality, that no Member of the 5 should be a Member of the Public Works, Transport and Communication, Gender and the representation of the Independent.

That the no confidence Motion be suspended until the conclusion of the investigations. In the Interim, the Committee on Roads be suspended and its functions be performed by the implementation Committee until the conclusion of investigations. The Implementation Committee shall work under the guidance of the Speaker and the Committee Clerk of Roads, Public Works, Transport and Communication in discharge of their duties in the interim.

A Member of the Committee on Roads, Public Works, Transport and Communication serving in the implementation Committee shall cease to participate in the affairs of Roads, Public Works, Transport and Communication.

The Committee should be put in place by Tuesday next week and report on the two matters, Hon. Akuno's and the Committee one as directed. May the House stand guided. Thank you. Yes, Hon. Booker.

Hon. Booker: Mr. Speaker, as I want to speak on the matter that is related to your communication, on the matter of the no confidence Motion of the Chairperson and the Vice Chairperson, I want to believe that this House is a House of rules. Mr. Speaker, as I stand here, I am a Maxima, using the 5 maximum principles.

The second maximum principle states that the gun must be used. As we are trying to do this, I was directed by Standing Order number 184. This means that the Committee of roads should also bring a Motion of no confidence for the Chair and the Vice Chair.

Hon. Speaker: Hon. Booker, are you trying to contribute on a matter which has been concluded by the Speaker?

Hon. Booker: I am not trying to contribute; I am only trying to express my view.

Hon. Speaker: That is why the Chair said that the Motion is properly before the House, but it has been suspended for those obvious reasons.

Hon Booker: Only if the subjected law will not infringe my democratic right to legislate in this House. Thank you.

Hon. Speaker: Next Order! Yes, Hon. Mboha.

MESSAGES**COMMITTEE ON ROADS, PUBLIC WORKS, TRANSPORT AND COMMUNICATION**

Hon. Mboha: Mr. Speaker, I wish to know whether the deliberations that would be done on behalf of the Members of the Roads Committee, the interim Members that will be handling the matters, because we had some other matters at hand because we don't know how we will be handling the matters at hand. Maybe you will give guidance on that.

Also we have heard the issues that you have stated and I would wish to concur with Hon. Booker, in dealing with this, I am one of those Members affected by this matter, and the issues that were there, that were to be looked into have been there with us for some time. If it is the two of us who have been the problem, then I don't think it should affect the whole Committee.

The issue was not with all the Members but it was a vote of no confidence on the Chair and the Vice Chair.

Hon. Speaker: Hon. Andericus Oduor.

Hon. Oduor: Mr. Speaker, I think that as a House of rules and regulations, you have given a directive on this matter. Is it in order for the Hon. Member to debate on the matter that has been ruled on by the Speaker?

Hon. Speaker: I am just trying to give them a hearing but not to reverse the decision of the Speaker. Hon. Mboha, will you just be quick.

Hon. Mboha: The reason I am saying that is the matter has not gone out of our hands as a Committee, that is why within the provisions of that law, we thought it wise that let's handle it at that particular level, reason being, even if the interim committee is going to take care of the Committee of roads functions, and the Ad hoc Committee that is being created to handle those allegations will come up with recommendations, if the Membership still does not have the confidence in the leadership, then we will not be solving the problem.

I was thinking that let's not let the Members of the roads Committee to be disadvantaged because of the issues of Leadership within the Committee. I think it is within the mandates and powers of us as a Committee to probably elect the person who will be our Chair and Vice Chair of the particular Committee also.

Hon. Ochola: Thank you Mr. Speaker. Just a clarification I am in no way trying to question your decision, which you made on the floor, but I stand as a worried Member of the Roads Committee because the decision that has come from you, means that I am no longer a Member of the Roads Committee, because it has been disbanded, but my concern is that, the issue that we had in the roads Committee, was not touching on other Members, but it was on the Chairman and the Vice Chairman.

Hon. Speaker: You are conflicted. You better just sit down; you will express those issues in the Ad hoc Committee. Does it not worry you that you are the only Member complaining! Yes Hon. Oriaro.

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Hon Oriaro: Thank you, Hon. Speaker. I wasn't around when you were making pronouncements but for the good of us and for the good of this Assembly in future, the directive ought to have been that in future when such Committees have such problems, they should sort it out internally, not to rush in the public agora just as it was because it pains us badly just as it was, and that is why the repercussions are even being felt by the individual Members.

Such matters ought to be treated at internal level, and then if they can't handle it, they use the right procedure before it even reaches this level.

Hon. Speaker: Hon. Members, the decision for the Roads Committee has been arrived at, it has been made, for clarification the Committee has been suspended, it has not been disbanded. It will be the findings of the Ad hoc Committee to determine whether to disband it or not.

The issues affecting the Committee from my communication are not about the leadership, and if the leadership is aware that they are the problem, why can't they resign and leave the Committee in peace!

The allegations are bigger than the leadership, and if there is innocence, go pledge that innocence in the Ad hoc Committee. The Implementation Committee will take charge of that Committee in the next 30 days as we wait for the deliberations of the Ad hoc Committee.

NOTICE OF MOTION

REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE

Hon. Madialo: Mr. Speaker Sir. I rise to give a Notice of Motion of my intention to move the Motion:

THAT this House adopts the Report of the Budget and the appropriations Committee on the Siaya County Government Supplementary Budget for the year 2019/2020.

Hon. Speaker: I have equally been notified that we are having some Members from West Ugenya. We had said that we would admit people with restrictions. We have: Lawrence Otieno Opiyo, Samuel Oduor Juma, Boniface Ouma Ochieng, Simon Otieno Oduor, Otieno Joseph Juma, Erick Ouma Onyango and Boniface Oongo Adet. Will you be upstanding? Will we acknowledge them?

(Applause)

Hon Speaker: Thank you. Enjoy your time. Next Order!

STATEMENT

EFFECT OF COVID-19 VIRUS ON REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE

Hon. Madialo: Mr. Speaker Sir. I seek the indulgence of the House to make the following Statements: The County Treasury, vide a letter dated 28th February, 2020, REF NO. Siaya County/Finance, Siaya County Assembly/16 1 volume; submitted to

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the County Assembly, The Siaya County Fiscal Strategy Paper 2020, for consideration and approval pursuant to Section 117 of the Public Finance Management Act 2012.

The Paper was therefore laid in this Assembly and committed to the Committee of Budget and Appropriations during the Assembly's morning sitting on Wednesday the 4th of March 2020 for consideration, and reporting back to the House.

Upon the commitment of the Paper, this Committee began the deliberations, by inviting the CEC Member for Finance; Mr. Richard Mungla. This was done so as to understand the contents of the paper.

The above deliberations were conducted in Kisumu on the 16th of March 2020 and attended by the CECMs, Chief Officers, County Directors, and other technical officers of the County Departments,

During the meetings, the Committee engaged the officers as well as considered documents submitted to it by the County Executive which has informed this progress report. The Committee through the office of the Clerk had also put up an advert on the newspapers for a public participation hearing which would have been held today Thursday the 19th of March, 2020 at St Peters Cathedral Siaya ACK church hall.

This, however, cannot be possible given the head of state's directive on National Government efforts to combat the COVID-19 virus. The Committee had further planned to converge after the public hearing to prepare a draft Committee Report and also engage the CECM Finance on his draft recommendations as require by the Section 117 (6) of the PFM Act 2012.

Given the current situation and while striving to conclude this matter as soon as possible, this Committee with full cognizance of the 15th March deadline for Assembly's approval of this Paper, wishes the office of the Clerk to communicate to the County treasury of its progress. This request is based on the fact that unless it is made, then the treasury may have the liberty to prepare Budget estimates based on the proposed CFSP 2020 without the Assembly's input.

I wish to add that the challenges presented by the Corona Virus, the limitations that have been placed upon our congressing, renders it as a condition apt enough to allow the bending of the laws to accommodate the situation as it is. That is my Statement.

MOTION

CONTINUATION OF DEBATE ON VILLAGE AND ADMINISTRATIVE UNITS MOTION

Hon. Speaker: Chairman Governance.

Hon. V. Odawa: Thank you, Mr. Speaker, Sir. All Members debated on the Motion yesterday, and I would like to thank those who really supported the Motion. Mine is now to reply on the Motion. Maybe if I can respond on how the Members contributed individually yesterday.

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I must thank Hon. Madialo for supporting the Motion although with reservations. He was still of the view that the number would still harm the wage bill of the County, but I am sure that since he is the Chairperson of Budget committee, he would liaise with the Executive to see how to go about it.

Hon. Opanga supported the Motion. He was of the view that when the Bill passes, it would give employment opportunities to the Youths.

Hon. Shirley also supported the Motion with reservations that the Report was shallow, and Hon. Otiato really responded to that, but I could add that she was considering that the list was also not part of the report, but I can report here that the list forms part of the report.

Hon. Juma: Point of Order, Mr. Speaker.

Hon. Speaker: Yes. Hon. Linda.

Hon. Juma: Thank you, Mr. Speaker. I am a bit worried when the Hon. Chair of Governance, Hon. Odawa is going to mention all those people who supported the Motion. You know it is a bit weird because we have already said that the Motion was supported. The only thing that we can ask is let him reply to the message instead of counting all the Members.

Hon. Oyuago: Thank you, Mr. Speaker. It is good that the Chair noticed my concern yesterday but in his response, he is not replying to my concern. He is just mentioned that I said the Report was shallow, but he is not saying why the Report is shallow. So kindly Chair through the Speaker, respond to my concern.

Hon. Speaker: Hon. Odawa, you are not a recorder. Don't take us through how people contributed. Just reply.

(Laughter)

Hon. Speaker: Yes, Hon. Ousa.

Hon. Ousa: I think people have got different ways of doing things. Maybe that is Hon. Vincent's way of replying to the Motion, so I don't think there is anything wrong with his style. Thank you

(Laughter)

Hon Speaker: You should not be replaying what we discussed yesterday. It is repetitious and out of order. Just go straight to the point when replying.

Hon. V. Odawa: Thank you Mr. Speaker for your guidance. Why I was going that long way is because I am really happy for this Bill.

(Laughter)

Hon. V. Odawa: I started by saying I thank the members for their support and if I won't waste Members' time, I just want to appreciate Members for supporting this Report. Thank you.

Hon. Speaker: The Member is happy. Perhaps he would have loved that we just have a whole session for him to reply. Hon. Members, I would then want to put the question which would be in two forms because the Report of the Committee handles two forms of the Governor's proposal.

On the age requirements and on the number of the village units, two questions on them because the law requires that when a Governor refers a Bill back to the Assembly, the Assembly may, following the appropriate procedures under this section, amend the Bill taking into account the issues raised by the Governor or pass the Bill without amendment.

So, on the issue of the number of the village administrative units;

(Question put and agreed to)

Hon. Speaker: In essence that means that we have factored in the recommendations by the Governor in terms of the number of units.

The other aspect is on the age requirements, where the Governor is of the opinion that the age requirements for the village elders be a minimum of 35, but the Committee in consultation with the Members, opines that we maintain the earlier position, which is that the age requirement for a village elder is proposed and retained at a minimum of 18 years.

(Question put and agreed to)

Hon. Speaker: Next Order. Hon. Chairman, as you will be moving the Motion, I want to remind you that there is a concern among Members that the full document of the Supplementary Budget has not been circulated and we want to have your commitment that before we do the appropriation law, you will have circulated to them the full supplementary Budget so that they don't feel cheated.

Hon. Madialo: Thank you, Mr. Speaker, Sir; I stand guided except for the document called the Supplementary Budget was laid here before we started discussing it and everybody got it. I am positive that all Members have seen the Supplementary Budget; this is a Report on it, Section 135 of the Public Finance Management Act 2012...

Hon. Speaker: Just a clarification that the Appropriations Bill will capture the aspirations in the Report as reflected in the Supplementary Budget.

Hon. Madialo: Thank you, I will address that towards the tail end of the Report. As required by section 135 of the Public Finance Management Act 2012, the Supplementary Budget Estimates and related documents for the two arms of Government; namely the County Executive

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and the County Assembly were submitted to the County Assembly on Thursday 5th December, 2019 and thereafter committed to the Committee on Budget and Appropriations for considerations and reporting back to the Assembly.

Mr. Speaker, Sir; this is the first Supplementary Budget to be prepared in the Implementation of the Siaya C.I.D. P 2018 running to 2022 during the FY2019/2020. The Committee has examined and discussed the Supplementary Estimates and has made recommendations which are contained in this Report. You will forgive me if I rush, for if I jump some paragraphs; the Members had this Report yesterday. It was circulated.

In reviewing the 2019/2020, Supplementary Budget estimates, this Committee held ten sittings; the Committee also met the County Treasury led by the CEC Member for Finance and Economic Planning with a view of understanding the rationale for the investments in the Supplementary Budget as well as to seek his views on the Committee's recommendation.

The methodologies leading to the conclusions on this Report include interrogative sessions, analysis of documents which all helped to inform the Committee in making key observations and subsequently recommendations.

The process of submission and approval of the Supplementary Budget estimates is anchored on section 135 of the Public Finance Management Act 2012 which is read together with section 112 of the same Act, regulation 39 of the same Act and these are regulations of the year 2015.

In summary, section 135 provides for circumstances under which a Supplementary Budget maybe proposed and they include in Talia that a County Government may spend money that has not been appropriated if the amount appropriated for any purpose under the County Appropriations Act is insufficient or as a need as a recent expenditure for a purpose for which appropriated by the Act or money has been withdrawn from the County emergency fund.

A County Government shall submit a Supplementary Budget in support of the additional expenditure for authority for spending under subsection one. In complying with section 2 subsection 2, a County Government shall describe how the additional expenditure relates to the physical responsibility principles and financial objectives except as provided under subsection 5; the County Executive of the spending unit must seek the Assembly's authority or approval within two months after the first withdrawal of the money if the County Assembly is not sitting during the time contemplated in subsection 4 or in sitting but adjourns before approval has been sought within 14 days after its next sittings. When the County Assembly has approved spending under sub section two; a Supplementary Appropriation Bill shall produce for the appropriation of that money.

Prior to incurring any expenditure under paragraph one of regulation 39 of the PFM regulations 2015; accounting officers must seek the approval of the County Treasury and if approval is granted by the County Executive Committee Member it shall be committed to the accounting officers through notifications which shall be copied to the Auditor General and the Controller of Budget.

Mr. Speaker, sir; subsection 3 of that regulation states that the purpose of which approval is not for Supplementary Budget shall be and foreseen and unavoidable in circumstances where

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there is an existing Budget re-provision which, however, is inadequate. Subsection 39 for purposes of paragraph 3 the following shall not be considered unforeseen or unavoidable. Expenditure that although known when finalizing the estimates of the regional Budget could not be accommodated within allocations.

The County Treasury in the proposed Supplementary Budget 2019/2020 states that the main objective of the Supplementary Budget was to incorporate the additional National Government transfers of Kshs. 153,950 in which are comprised Kshs. 118,950 as additional equitable share and Kshs. 35million as additional conditional grant for water tower protection.

The other objective was to reconcile the figures of a project balances brought forward for the Financial Year 2018/2019 into Financial Year 2019/2020 Budget to harmonize the recurrent selling for the County Executive and as set by the KARA 2019. Incorporate the Siaya Municipality as a program in 2019/2020 program based Budget.

Consider the *Linda Mama* and N.H.I.F. as appropriations in aid in the department of County Health Services and to incorporate an advisory from the Office of the Controller of Budget. The total estimates revenue for Financial Year 2019/2020 as proposed in this Supplementary Budget will amount to Kshs. 8.881billion. Costed as follows; 5.791 equitable share, Kshs. 420,000 own sourced revenues, Kshs. 750,000 as conditional grants and Kshs. 1.919billion as rollovers.

Conditional allocations in 2018/2019 comprise 18.19 for user fees foregone, Kshs. 131,000,914million for leasing pf medical equipment, Kshs. 164,000,408 for road maintenance levy fund, Kshs. 40,000, 278million for rehabilitation of village polytechnics and Kshs. 395million being other grants and loans. Expenditure is broadly classified into development and recurrent expenditure.

Recurrent expenditure is further classified into compensation to employees and operations and maintenance. The recurrent expenditures have been proposed Kshs. 4.989.199billion. Mr. Speaker the table is annexed and may I add that the County Assembly is treated as a department for the purposes of budgeting.

From that table the Treasury has proposed to transfer the purchase of motor vehicle @ Kshs 14.5million as well as other administration expenditure worth Kshs. 2.18billion earlier approved by the department of governance so as to consider for approval for purchase of motor vehicle @Kshs. 14.5million and other expenditure in the department of finance.

Further out of the Kshs. 118.90million received as additional equitable share; the County treasury has proposed to allocate Kshs. 117.95 for purchase of drugs while Kshs. 1million has been proposed to be allocated towards the general administration of the Siaya Municipal Board. The total Supplementary Development Expenditure amount to Kshs. 3.892billion translating to 43.83%.

The County Treasury made submissions in writing; they made submissions orally and they attended the Committee and engaged the Committee verbally. The Committee observed that the County has a deficit of Kshs. 495million arising from the failure to receive the revenue as targeted during the FY-2018/2019.

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Among those revenues not received; the document disclosed Kshs. 200million for the leasing of medical equipment, Kshs.135million for own sourced revenue among other grants and loans worth Kshs. 160million.

To reconcile and take care of the deficit the County treasury has proposed to effect the rolled over projects from FY-2018/2019. We also observed that Executive was proposing a reduction in the County Assembly development project and that several projects in the Budget estimates 2019/2020 have been tendered and the general intention of the County Government is the projects be implemented with little interference.

On the 17th March 2020; the County Executive represented by three CECMs led by the CECM for Finance together with their technical team attended the general oversight Committee upon summons. The issues raised with the Executive team have been addressed vide a letter dated 8th March the contents of which are self-explanatory and a copy attached to this Report.

In the sittings these are the findings; that the County treasury enhanced the equitable share from Kshs.5.6billion to Kshs. 5.7billion being an increase of Kshs. 118million to conform to the County allocation revenue Act 2019.

To further comply with KARA 2019 of the Executive and County Assembly recurrent expenditure ceilings, the County Treasury has proposed a reduction of Kshs. 16.68million in the Executive department recurrent Budget and the recurrent of the County Assembly expenditure has been retained at Kshs.666million.

The treasury has proposed to reduce the cost of rollover projects from Kshs. 2.414 to Kshs. 1.919billion. This being a reduction of Kshs.195 which as earlier observed constitutes the deficit. Mr. Speaker, Sir; re-budget is not balanced, in other words the projected revenue which is Kshs. 8.84billion is not similar to Kshs. 8.81773 which is projected as the total expenditure.

The difference is Kshs. 40,000,278million which the Committee attributes to the fact that government failed to recognize Kshs.40, 000,278million meant for rehabilitation of village polytechnics as revenue.

Finance and Economic planning department has its recurrent Budget proposed by Kshs.16.68million which will go towards funding of motor vehicles @Kshs.14.5million. Purchase of sanitary and cleaning materials @180,000 and Kshs. 2million for advertisement.

The entire proposer enhancement of the entire Kshs. 117,950 in the health department will be used for purchase of medical drugs while the entire proposed enhancement of Kshs. 1million in the lands department will go towards funding activities of the Siaya Municipal Board.

The Ward transfer funds are maintained @ Kshs. 15.5million per Ward. Before I go to recommendation, allow me to interact with a response to the Committee on General oversight. It is in the attachment dated 18th March, 2020. It is signed by the CECM for Finance. Mr. Speaker, Sir; the contents of that annexure are self-speaking.

The Committee has strived to make those contents an annexure of the Report so that when the Report is adopted then the undertakings by the Executive become part of the Report for purposes of implementation.

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A copy has been given to each Member for purposes of memory in the future and for purposes of holding to account the next Budget cycle so that complaints are addressed as satisfactorily as possible though I know that complains cannot be addressed 100% satisfactorily.

These are the recommendations of this Committee; this Committee finds it a bit difficult and incomprehensible the fact that we keep rolling a budget as revenue the amount of Kshs 200million for leasing of medical equipment thus imbalancing our Budget while the money is not being remitted.

To balance up the Budget, this Committee recommends Kshs. 200million be knocked off the budget both as a revenue and an expenditure. To bring up the balance so that a false deficit is not created, this Committee that the Executive captures sum of Kshs. 40million grant for rehabilitation of village polytechnics and having added it coming up with that total. Remove it from the budget both as revenue and as expenditure.

In instances; and they might be two or three only where the allocation of Kshs. 15.5 million approved by June 2019 for implementation of development projects at the Ward level have been interfered with.

This Committee directs that the allocations of Kshs. 15.5million stand the way they are without interference as approved by the House. The Committee is cognizant of the fact that regulation laws and other instruments of control of funds have not been enacted or brought into force by the relevant departments to the extent that allocations that are proposed year in year out for special interest groups constitutionally recognized as the youth, gender and persons living with disability have not been easily accessible for purposes of enhancing the interests of those Special interest groups.

With or without these regulations this Committee directs that the Kshs. 10million that was appropriated to go to those Special groups each be retained @ Kshs. 10million per interest group. With the following undertaking that the Committee is going to ensure in consultation with those interest groups that these appropriations are captured in the Bill as programs so that we don't hit our heads on a wall named the funds.

Should there be amendments, allow me to report that there were suggestions of amendments by various Wards and their representatives on certain projects. The Committee recommends that where Members of the County Assembly on their respective Ward development projects wish to make changes, such should be allowed to the extent only that the projects are yet to be contracted and two that they don't affect departmental ceilings.

We have looked at the recommendations, requests, projections of the Executive on the projects to be touched for purposes of balancing the Budget or financing the deficit. I wish to report that among other requests or projections the CECM Finance was seeking to take out of the development allocations of the County Assembly Kshs. 154million to finance the deficit.

The Committee directs that the County Treasury in consultation with the County Executive departments revise the budgetary allocation with a view to balancing the Budget and financing the deficit of Kshs.295million.

Of course this will be in consultation with the Committee. The Committee having consulted with the department of lands and urban development and housing and having

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consulted with other development partners directs that a specific budget line for Kshs. 2 million be created specific to the Municipality Board of Siaya to ensure that the Board is financed as a body cooperate.

Having read the annexure that has been submitted by the Executive of the County of the County Assembly; the Committee is not satisfied that the Executive has answered the issue of sports money satisfactorily.

This is therefore the directive of the Committee; the Committee recommends that given the confusion attendant to the rest of the issues and the unsatisfactory answers there to the Executive projects to provide for the sport in the allocation in the next budget provisions over and above the Ward specific provisions and in addition to any provision for sports as the House shall direct.

The above changes be effected to ensure that the Supplementary Budget before the Supplementary appropriations Bill is passed by the County Assembly. With the above recommendations this Committee presents its Report for adoption by the County Assembly.

Allow me to further state that I wish to congratulate my sisters and brothers in this House for being sufficiently sensitive to the National interest of our citizens. Nearly all Assemblies, Parliament included; the Judiciary, Lands department and even worship places have been closed in fear of the Corona virus.

Today we sit here as body of responsible men and women to ensure that there is a budget in place not only to run the programs of the County as earlier projected but I am a very happy man that in the annexure one of the emergencies emerging is that there is need to finance or put in place funds and measures to address the Corona virus menace.

Allow me also to confess that since December to March these Supplementary estimates have been on the table of the Committee unresolved. This was for the purposes of allowing Members to internalize the challenges and issues that are inside that document.

I want to urge Members to join me in appreciating that in your own budget in your own House you never balance it 100% and whether or not the documents were to sit with us for 6months or 1year the balancing would have to be done by human beings that we are and that the Committee has the best that it can to ensure that the document is as near reflective of our wishes as possible.

I wish to point out that there are programs that have been dear to the heart of our people but also to the hearts of the Membership in this House. Sometimes what is most dear to your heart might not be what you get and so I know that from where we sit there are people who would wish to have sports at Kshs. 20million but they will not get it because there are no resources for that.

If we were to allow that everybody gets a share of their wish to go to their Wards everybody would have a budget for their respective Ward @ Kshs.500million and it wouldn't be enough. It wouldn't be enough to address the needs of those Wards. Resources are scarce and that is why we call them resources and since they are scarce we make do with what is available.

Allow me to thank the General Oversight chaired by the Chair of the County Assembly for allowing the other side to come and explain themselves on the up comings and shortcomings

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of the document they presented and that the challenges that they faced in implementation in achieving and in meeting the aspirations our people or satisfying the directives of the House.

Lastly, I am going to urge the Committee of Finance and Trade; when they next interrogate the Finance Bill to be helpful to the Committee on Budget by ensuring that revenue lines that cannot give birth to any revenue are not included in the Bill so that we do not budget with money that cannot be collected.

Just to mention a few; there is a provision of quite a substantial amount in the Finance Bill which has been in cooperated in the Budget that these people are going to collect so many millions from boda boda riders. The Report is that they collected zero and when that happens it has a direct effect on the budget cycle and not only that but their method of revenue collection reporting is also quite challenging.

I am resting by stating that we have insisted that the Executive report to this House by providing for N.H.I.F monies that they receive in refund by providing LINDAMAMA revenue that they receive from the National Government and which is a refund of monies that have been spent on our daughters and spouses by providing for it as appropriations in aid so that Members of this House are able to see how much is coming from the N.H.I.F and how much is coming for LINDAMAMA.

I am urging my colleagues to debate and pass this Report as presented by the Committee. Allow me to request Hon. Ochola to second; I would have wished Hon. Oriaro to second but he comes from Alego.

Hon. Ochola: Thank you. Mr. Speaker, Sir; I stand here to second this Motion just quickly to engage with my supporting remarks since my able Chair has exhaustively given very informed position of the Committee as we went through the Supplementary.

My quick observation is that; true this is the most interrogated Supplementary Budget that we have gotten through as Members having had the document for a record three months and over and we really ventilated into it given that it was a tricky Budget in terms of the allocations that we were getting and balancing but at the end of the day we were coming into an agreement apart from a few discrepancies in terms of the Supplementary not balancing but I only want to point a few things which are important.

Within the Supplementary we have managed the Municipality Board having just recently approved the Bill which was introducing the Board and as my Chairman says we have luckily enough given the extensive period we have also mitigated in this Supplementary the current fear of the Covid-19 pandemic and above all the fact that as a House we have made a decision and stood our ground that as the Constitution demands we have to take care of our youths, women and PWDs.

We have maintained the money despite all the pressures which were from the Executive. I also have to take this opportunity despite the fact that we have interrogated this and Members are agreeing that we have a fairly good document for a Supplementary but I have to condemn the National or the Treasury for the fact that the money which was meant for village polytechnics as was expected was not realized or was not dispersed for that matter and yet that is one important component of the mandate of the County Government in terms of Education.

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We only have the mandate of the ECDE and the mandate of the technical training institution and given the Government calling of the big 4. You find that it is a very important component and we saw what it did to us in the last Financial Year with the few amount of money which was disbursed but this time round that disbursement did not come, it's not going down well with us but all in all I must say I thank myself as a Member of the Committee and also thank the rest of the Committee for a job well done. With those few remarks I second the Report.

Hon. Speaker: I propose the question that this House adopts the Report of the committee on Budget and Appropriations on the Siaya County Government Supplementary Budget for the FY-2019/2022 laid on the Table of the House on Wednesday 18th March, 2020 at 2.30 p.m.

Hon. Opanga: Thank you, Mr. Speaker, Sir; I rise to support the Report on Budget and Appropriations, Planning and Vision 2020. Indeed, this Report was brought to this House in December when we were closing for recess and through the words of the Chairman that at times balancing becomes an issue.

Despite that in the attachments that we had in our general oversight there were issues and I am happy that the Committee has captured various issues that the House had raised but in the same breathe that there was a pertinent issue of the other Wards.

I will be specific on the issue of sports; you find that a Ward had already prepared a work plan, submitted to the department and engaged the teams. In the response of the department I have tried to look into it but I can't see the response touching on the same. As I support the Report Mr. Speaker, the Committee on Budget and the Committee on sports because there are other Wards that have already utilized these funds and they have done that sports activity.

It will be unfair for other Wards that had already budgeted for and already engaged to be told that the County Government cannot go ahead to this plan of this sports activity whereas we push it to the next Financial Year.

My request as I support this because we had fears about the works that had already been procured or already tendered. I am happy that the Committee has covered it within maintaining what was already within the figure.

I believe those who have already been given contracts and that it has also cured the issue that rotates around the contracts that has already been and the funds are not there. It has been captured very well.

Going forward, just as the Chair has alluded here when we are setting the expected revenue that the County projects to get, I don't know how they come about this there are revenue lines that they do project which they don't implement and that affects even the allocation that we get from the National Government and it brings us where we are right now that we cannot undertake certain development projects because whatever we had projected as a county is not attainable.

The department of Budget should be sincere with us and tell us what this Financial Year we are projecting even if we don't meet the target let it be a small margin rather than projecting Kshs. 395 million and collecting Kshs. 180 million. We should be realistic in order to help us cure this disease that has even made the Committee on Budget to sit through this report on a period of about 4 months.

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I want to thank the committee for the good job and we know that you worked under intense pressure but we are happy that you have done your part as a committee.

Hon. Oriaro: Thank you, Mr. Speaker, Sir. Let me thank my able colleague, Hon. Madialo for having executed a very classy epistemological stab in his Motion because there were concerns on philosophical what, why and how.

Unfortunately, I shall offer my reservation towards supporting the report on the Committee on Budget on the matter of supplementary based on several scientific analyses and today I will talk about science.

Page 105 of the attachment dated 18th March, 2020 as received by the House from the Executive to the County Clerk. This is from the authority of the CECM Finance. What is the rationale for the preparation of 19/20 Supplementary Budget? The answer is to incorporate the additional resources transferred from the national government of Kshs. 118, 950, 000 go to the next page

I want Members to be keen on question number 4. How was the additional transfer from the national government of Kshs. 118, 950, 000 shared? The response is; the Executive proposes to enhance allocation of the Department of Health to bridge the funding gap that was occasioned by the sudden withdrawal by the US government.

Additionally, we have the case of care of emerging Corona and underscore the word Corona. We ought to be very amenable to the feelings of the public that we represent. I especially represent Central Alego Ward.

The first question is; when did we receive the Supplementary Budget? It was way back in December. It is now a public document. Was it amended as to be brought for a reconsideration by the House? The answer is No! Because an expense of Corona for instance is just a two week phenomenon by the national government.

If we receive legal documents like a Supplementary Budget and objectively it was not captured and the committee had 4 months. Just yesterday we were with the CECM team to defend it. There ought to have been a legislative and a legal framework of a reconsideration. In so far as the consideration of the supplementary Budget because such a figure is wanting.

I once sat in an engineering class and I did engineering Mathematics. There is the study on Calculus. We have the Differential Calculus that is all about the Supplementary Budget. It tells us the particulate nature of the programs and all the amounts when put together bring us to what I later on subjected to Integral Calculus.

The product, the bigger picture, and that is why the concern was if the Appropriation Law will merge with the Supplementary budgetary processes as the report is brought here. It is just a report of the nitty gritty that ought to have appeared in the supplementary that we are still questioning so the appropriation law will enact so easily and capture these figures.

We had a supplementary and it had credible projects from my Ward that were part of the original estimates upon which we had an appropriation. They were not captured and I want to be keen on this. People were saying that let it be Kshs. 15 million per Ward. Alejuok - Maira Mbolori - Malele road there was an allocation from the Ward in excess of Kshs. 6 million.

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Pap Boro-Liganwa-Aduwa and Got Gagi there was an allocation in excess of Kshs. 3 million which is almost over a half far much than the allocation we had. This one is interfered with. Not captured in the Supplementary Budget! A higher order of consideration or awareness that we are just rubberstamping.

We put these questions to the Executive and they ought to have even if we needed not follow the toll order attached questions as to our individual concerns. I have heard even the Governor complaining severally that millions in my Ward budgetary allocations are somehow extracted after our mechanical processes the way this one is because the law requires that we do it.

So as we approve the Supplementary Budget which fell below the threshold of public participation because the concerns of my people were not captured, I am with the Governor in my Ward. Why do we now just rubberstamp because the law requires that we follow the process.

If they interfered with the Budget and they have done contracting, then it is just good. I want to report here that Kajuok Maira Mbolori Malele road has not been contracted. PapBoro Liganwa Got Gagi Road has not been contracted and the Executive ought to have objectively reported here that they are intact.

Even money over Kshs. 2 million for Sirongo Ware ECDE that was by mistake taken back to my home Kahera for fencing an institution that had already been fenced long time ago. My concerns are valid if it will be about the rule of the majority, I don't mind but this would be the height of the involvement of this House on matters of malpractices to merely rubberstamping.

One time Uhuru was the Minister of Finance and it was learnt that a whole Kshs. 1 billion was sneaked into the Budget. Outside that it is known that the Executive is giving us money and we do not know where this money is coming from.

Hon. Oyuago: Point of Order!

Hon. Speaker: Yes, Hon. Shirley

Hon. Oyuago: Thank you, Mr. Speaker, Sir. Is it in order for the Hon. Member to accuse this Hon. House that we rubberstamped a Budget which was placed before the House and there were deliberations? When we were deliberating I didn't hear him oppose the Budget. We can even look at the Hansard. He supported it. Now he is saying that we just do rubberstamping.

Even right now he is saying that we are going to rubberstamp a Supplementary Budget. Is it in order? Thank you.

Hon. Oriaro: I said in the regional Budget of 18/19. Those were part of the projection of estimates. They were there but in the Supplementary Estimates they were not there so it could be somebody somewhere is to help us lend our legislative hand then they go and manipulate things.

If it is not manipulation it is one outsmarting the other. Those are my concerns on behalf of Central Alego that next time I don't make noise that money for Got Akara Water Project, Lake Kanyaboli we put a Budget and the results are not what we expect. Even if you are a friend to the Governor. He comes from my Ward. On this particular matter Hon. Oriaro will always be on the No side. I oppose.

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(Laughter)

Hon. Adala: Thank you, Mr. Speaker, sir. I rise to support the Motion. In most times I always use very heavy terminology but for this occasion I will be so much aware I will stick to elementary English so that all of us are on the same page.

Hon. Odongo: Point of Order!

Hon. Speaker: Yes, Hon. Odongo.

Hon. Odongo: Thank you, Mr. Speaker, Sir. Is it in order for Hon. Adala to contribute in this House when he is not well dressed?

Hon. Odinga: Point of Order!

Hon. Speaker: Yes, Hon. Truphosa.

Hon. Odinga: Thank you, Mr. Speaker, Sir. Is it in order for Hon. Adala to say he is going to use simple English for the rest of the Members to understand? Does it mean our English is of low standard? His English is more advanced than us could he please clarify?

Hon. Speaker: Hon. Adala, I dint hear that maybe you have to rewind.

Hon. Adala: Thank you, Mr. Speaker, sir. The composition of the sessions most times would entail those of us seated here plus the visitors and anybody who would want to access our records in the Hansard. My statement was meant for the citizenry who would want to access what is in the Hansard.

Hon. Speaker: Did you say we cannot keep pace with your advanced vocabulary?

Hon. Adala: I withdraw. As I support the report, my attention is on recommendation 4, that the allocations that are approved by this Assembly in June 2019 for the youth and women be retained at Kshs. 10 million.

I want to thank the committee so much because when I saw the document that came from the Executive that was talking about little money I was a bit worried. The Chair in his submission said that irrespective of the existence of the policies in place, the law that we will also be looking into will factor in this money in terms of programs.

It should go on record that the Budget that we passed here there was a fund for the women and youth; Where these things changed I don't know. We remember sitting down and writing those things. We wanted as youths of Siaya County, documents which I personally submitted to the relevant person who indeed inserted it into the Budget that we passed here. Whoever changed it so that it reflects youth fund/ women fund I don't know

I urge that as we will be looking into this let us have in our mind that from the word go there was nothing like a youth fund in our Budget. I have observed that there is a disconnect.

I don't know where it happens; I am not certain if it is in this County Assembly or it is at the Executive that some of the things that we pass here when we get the ultimate document you find things that were never discussed here. It is something I have observed in year 1 and 2 and that must come to a stop.

I am also very excited that the Supplementary Budget seeks to add funds for the purchase of drugs. Being in the Committee on Health we have always had lots of issues in Siaya County in regards to services in our health centres.

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The shortage in the health facilities in Siaya is really worrisome. Not only that, the human resource part, the staffing norm that we need to have in our facility is less than 610 compounded with the fact that CHS that has been a key partner in health has also withdrawn.

It is also my hope that the Service Board whose appointment we approved two weeks ago will also fast track this and ensure that health care is well got and our citizens are safe in our country. I support. Thank you.

Hon. Otiao: Thank you, Mr. Speaker, Sir. I rise to oppose this document. I am opposing it on very clear grounds going by what we have heard even from the contributions of some of our Members. The tendency of us passing documents here having agreed on what is supposed to be done with it then when it goes there whatever comes back is not what is passed in this House.

We talked, we have met these groups, issues have been raised; very pertinent to the Budget process and to our people but then somebody is taking it as a joke. I join Hon. Oriaro in saying that sometimes we just get these things to pass by and we forget about it.

Hon. Madialo when moving the Motion said that all of us have a Supplementary Budget which was presented here in December. The content of justification of some of the changes are taking a lot of money to health department which we had issues with is Corona which was not discussed when this particular Supplementary Budget was brought here. Who is fooling who?

The kind of Budget that we pass sometimes gives us a lot of problems when we come to Public Accounts Committee when we are told that you don't ask questions on this money because it is you guys who gave us this money the way it is. So by the House doing something just to pass by allowing loopholes for these other guys to misappropriate funds in the name of what the Assembly provided then we become rubberstamps. We are not keen.

The role and its politics by its definition is allocation of resources. Every politician will always fight to ensure they get resources for their people. Why do we throw away money? Do we want to cheat ourselves here that we are discussing a Supplementary Budget? We brought issues here yesterday.

Hon. Oduor Odongo brought an issue; also one of the Members talked about sports. We allocated money for sports. This is the second year. The other year we had money for the sports that disappeared in thin air. This year we also have money that is disappearing.

In the Supplementary that came is there any explanation as to why the money for sports is missing? As we talk today, do we have any explanation as to where that money for sports is, if we pass it as it is, are we going to tell our people back at the ground that there is money that we allocated last year for sports, and where is it?

For us to be really realistic if we were here and actually you appropriated money, Kshs. 500,000 for sports and it has not reflected in supplementary and you let it go and pass it without that money then you are a sell-out!

Hon. Oriaro: Point of Order!

Hon. Speaker: Yes, Hon. Oriaro.

Hon. Oriaro: Thank you, Mr. Speaker, Sir. Hon. Oriaro is always right. Would we allow someone in her valentine cloths, Hon. Winnie to be part of this audience? Even Hon. Opanga with his tie?

Hon. Opanga: Point of Order!

Hon. Speaker: Yes, Hon. Opanga.

Hon. Opanga: Thank you, Mr. Speaker, Sir. On what Hon. Otiato has raised. This is a Hon. House; it contains Members who represent a constituency. When he wants to stand and say that we are a sell-out. I would want him to substantiate his statement and say, so and so you were paid to be part of the sell-out. As for Hon Oriaro this is part of the dressing code and not for Valentine!

Hon. Speaker: Hon. Otiato, on your language of Members being sell outs could you explain yourself.

Hon. Otiato: The term is not a word. A statement comes with its joinings when you connect the joining words it makes another meaning. It is not a verb. A sell-out comes with some other words we only say...

Hon. Speaker: I am talking about language. Are you insinuating that Members are sell outs if they pass the Supplementary Budget?

Hon. Otiato: I was very particular about this one that if you are from a Ward that had Kshs. 500, 000 for sports and it is not in the Budget and it is not explained to you where the money is and you pass a supplementary without it then the best term for you is a sell-out.

Hon. Speaker: I want you to apologize and withdraw the statement. It is unparliamentary.

Hon. Otiato: I withdraw that word and will replace it as we proceed. Thank you. The other day we were crying about the Budget that we had here that there is a lot of hidden things in the Budget process. If going by Standing Orders of this House that says when a Budget is brought to the House it stands committed to the Sectoral committees then it would have come out clearly from the sports department where Kshs. 500, 000 has gone to.

It would be very bad for us as a House to close our eyes into where this money is going to. Allow me to make a reference on my phone. I have a communication with a CECM I asked about the Supplementary Budget...

Hon. Mboha: Point of Order!

Hon. Speaker: Yes, Hon. Mboha.

Hon. Mboha: Thank you, Mr. Speaker, Sir. Is it in order for the Member, that he reads us a private SMS? We have not verified that number to admit it in this kind of meeting. In this era of so many things somebody can save another number as CECM and create SMS then read it to us.

Hon. Speaker: I was keenly waiting because maybe his communication does not seem to coerce Members. I will wait for his communication and all the same hold him accountable for the decision he makes whether they are factual or not.

Hon. Otiato: My knowledge about law and operations in this House is above board. I know that I cannot just make a statement in this House if it is not factual. I read verbatim when I asked I was told, "Good evening wuod Yimbo, Waziri tells me the document is not final and that none of our projects have been removed."

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By that, I was inquiring about this Supplementary Budget especially on the issues from the department of water and the assurance that I was given was by the CECM Water that he has been in constant communication with the CECM Finance and he has assured him that what we have as a supplementary is not the final document.

I forwarded the copy that I had on soft copy to him. We have been trying to deal with issues here. We pass somethings here and we create a loophole for editing that at final level. When you start analysing then they tell you, 'But this is what you passed.' A general comment that is always said here that the Assembly has just passed. I made a reference when I was meeting you few minutes ago that how sure are we that whatever we are going to have here is final.

This document that we are deliberating on here has not indicated issues of concern. My sports equipment cannot be procured because of this report we are discussing. There is no way...

Hon. Ayika: Point of Order!

Hon. Speaker: Yes, Hon. Ayika.

Hon. Ayika: Thank you, Mr. Speaker, Sir. I am just wondering why Hon. Otiato is lying before us. He is the only Member who received Kshs. 1 million in sports!

Hon. Speaker: Hon. Otiato, explain yourself.

Hon. Otiato: If I ever received Kshs. 1 million from Hon. Ayika for sports then she better explain!

Hon. Speaker: Hon. Ayika where did he receive the money from?

Hon. Ayika: Not from me. He is just trying to confuse us. He received Kshs. 1 million from the committee on sports from CECM. We even have it in the records of Committee of Tourism and Sports. It is true. Why are you lying?

(Laughter)

Hon. Otiato: In our Budgets, allocation of money in a particular activity is vested on those particular MCA's. If I allocated Kshs. 5 million for my sports, she is talking about one but I allocated my projects more than Kshs. 1 million. So part of the procurement was done but the other part is missing.

I ask about that part. Should I keep quiet because instead of Kshs. 2 million only part of it has been procured

Hon. Speaker: So it is true your Ward consumed Kshs. 1 million but you had allocated more?

Hon. Otiato: Up to now as we talk my Budget for sports is intact. All the money is there. I don't know about whoever is talking about Kshs. 1 million. They can make a reference and through your guidance how I wish that you tell us...

Hon. Speaker: Order! The Hon. Chair of Committee on Tourism when we meet here next time kindly give us information on the allocations of Yimbo East on sports and what they have utilized so far. Not now.

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Hon. Okumu: I think we should let the House move. I was one of the witnesses when football was going on in his Ward. He confirmed to us that that was his allocation. Why confuse the House? When discussing these things we should also look at time. On the road the bus driver is allowed that if one pedestrian is confused within the tarmac road go with him! We better move with time.

The other day we were here with people from the Executive office and they talked well and they gave us the answers we have on what they will do. Why can't you give them time instead of being a prophet on their word. We had them here and they responded; let the House move.

You are an elected Ward Member! Please give the county time. Don't confuse the county here and there!

(Laughter)

(Applause)

Hon. Speaker: Okay, Order! Hon. Otiato deserves to be protected. The Hon. Member was making contribution and I ruled on that matter because we don't have the facts. You have the facts as a Committee but for the benefit of the entire Membership let us get information in our next Sitting as to the allocation that he had in his Budget under sports and what he has consumed so far, then we will hold him accountable for his statements.

Hon. Odongo: Thank you, Mr. Speaker. I am on a point of order. I wanted to clarify something, that the appropriation in the sports department should not be questionable when Hon. Otiato is complaining about his allocation.

When we were elected and I can remember very well, in the sports department each Ward was allocated Kshs. 500,000. This money was not utilized and I am one of the Members who happened to be in Hon. Otiato's Ward when he was conducting the sports activities, he confirmed to me that the money is from the sports department, but it was for the other Financial Year.

Hon. Speaker: You are on a point of order? Please quickly!

Hon. Opanga: Mr. Speaker, you had ruled on this matter, I would kindly request through your guidance that this issue be vacated.

Hon. Adala: Thank you very much, Mr. Speaker, Sir. For avoidance of doubt, Hon. Otiato is not in the sports Committee. Secondly, in respect of what is being chaired now, we have already done a report which is ready. I think when that shall be laid here; we shall know who is lying and who is not lying. Thank you.

Hon. Speaker: Yes, Hon. Olasi!

Hon. Olasi: Thank you, Mr. Speaker. Allow me to start from a comment where Hon. Adala left. Hon. Otiato, is not a Member of the Tourism, Sports Committee but it is on record that it is only East Yimbo where Hon. Otiato represents that has the most expensive equipment worth over Kshs. 1million from the department. That is a fact.

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Sigomre and North Gem got some. Now, if Hon. Otiato is talking on behalf of all Members then it is a lie, if he is talking on behalf of East Yimbo which he represents then it is a total lie. I am attracted to one of the recommendations, no. 8.

Hon. Speaker: Yes, Hon. Oriaro!

Hon. Oriaro: The report by the Budget Committee states that such allocation will be pushed forward for 2020/2021 allocation! The report confirms, a Member tells us what is not in the report and he is a Member of that Budget Committee.

Number two, on a point of order, Hon. Ayika made it very clear that Hon. Otiato received Kshs. 1million. Two issues arise; are your Members part of the Executive or are they apologies of the Executive so as to make us appear as a House as sellouts?

Hon. Speaker: Hon. Oriaro, you are out of order. I want us to move, Hon. Members, we must conclude this matter. I have said that we shall get facts as to the allocation in East Yimbo and the utilization and we will get that communication when we resume next.

Hon. Ayika's comments were not on a personal basis, she was simply saying that as far as she is concerned, remember she is a Member of the Tourism Committee. Much as it is out of order to preempt decision or reports of the Committee, she was making a clarification. So that doesn't make her a sympathizer of the Executive.

Hon. Oriaro, please withdraw that statement that my Members or the Members of the Assembly...

Hon. Oriaro: But Mr. Speaker, I didn't have a gadget for it to appear in the Hansard!

Hon. Speaker: Hon. Oriaro, even without a gadget you will be thrown out.

Hon. Oriaro: I withdraw, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Shirley, not on that matter please, something else.

Hon. Oyuago: Kindly through your Chair, we need another induction because you made a ruling and we have a number of deliberations after the ruling. That is why a senior Member like Hon. Oriaro, is still arguing with you after you have made the ruling.

Hon. Speaker: It could be either induction or enforcement of the rules that we have. Hon. Otiato, must you conclude? Please conclude so that we move.

Hon. Otiato: Thank you, Mr. Speaker. In my concluding remarks and I want this to go on record because I don't want to appear here next time and then it is said, "Hon. Otiato you were part of it!" I am saying that I am not going to be part of it and I will not be part of it.

I am so selfish that if I allocate Kshs. 5 million in my Ward it must be used to the last coin. If somebody thinks that out of Kshs. 5 million I should use Kshs. 1m then I conclude that the money has been used, not me.

I know why I was elected. I am concluding by saying this; I did make a request that we presented some cases for consideration and I was cut short when I was talking about the sports on times of description.

I see some of our allocations including even me, allocations that we had in the previous years could not go through, and they could not be procured because the way they were described was not right. Therefore their reflection in IFMIS cannot allow end to end requisitions.

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I expect when the mover will be replying on how that is taken care of. That is an issue that is holding over a million for me that I had placed in that particular sector.

Hon. Omwende: Mr. Speaker, I am on a point of order especially on the time a Member takes on the Floor of the House. This is not a one man show where one Member can be given 5/6 minutes while other Members are watching. I stand guided.

Hon. Speaker: Hon. Members, there are usually procedural Motions on allocation of time and we have never done that so we allow it in your conscience that spend the time you have knowing that other 41 Members want to contribute. Hon. Otiato, conclude!

Hon. Otiato: Thank you, Mr. Speaker. It is not my wish that I stand here for long, a lot of points of order. I made a request and I presented as you had guided us. By yesterday when I asked a question, has my requisition for amendments in supplementary been considered?

I had a one on one with our Budget committee clerk and the reply I got is, 'Yes we received but the Committee has not made a decision on it.' Up to now I am not confidently sure whether my recommendations for amendments in supplementary Budget were actually considered by the Committee or rejected. Thank you and I oppose.

(Laughter)

Hon. Speaker: Hon. Winnie!

Hon. Otieno: Thank you, Mr. Speaker. I am here to support the report but I know other Members are here to contribute over the same. People are talking here based on their Wards, the challenges they are facing, but think of the Nominated women in the County Assembly of Siaya.

They keep on allocating money for the women but this is one Assembly that the Nominated Members cannot have a voice over money being allocated year in year out. I am just appealing to the Committee on Budget, as much as they want to redeem this Hon. Assembly, they want to redeem our Executive, let us also have a name to protect out there because mama mbogas are on our necks.

Hon. Speaker: Yes, Hon. Linda!

Hon. Juma: Thank you, Mr. Speaker. I want to confirm to Hon. Winnie that she was not here when we were meeting the Executive. Money allocated for the nominated women is safe and it's just a matter of time that we are going to utilize it. It's intact.

Hon. Speaker: Hon. Adala!

Hon. Adala: Thank you, Mr. Speaker. There is no money allocated to the Nominated, the money is for women of Siaya County.

Hon. Speaker: Hon. Winnie, proceed please!

Hon. Otieno: Thank you, Mr. Speaker. Hon. Linda, you can pick it from there. My concern is that we need to know mechanisms that have been put in place for the women and then the frame works so that we follow hand in hand with the mama mbogas outside there.

How can we be told that the money was in the last Financial Year and it is lying there yet you are telling us that we are waiting for the Supplementary Budget for things to move?

Hon. Speaker: Yes, Hon. Linda!

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Hon. Juma: Thank you, Mr. Speaker. Just like my first advice, the money allocated for the women, were put in the Budget as funds. And when the questions were being raised here, we noticed that we could not access this money because they were put as funds.

We were giving a suggestion that they be given as original programs for the women so that we can access the monies. Please if you don't mind, stop talking about it because it is intact. Thank you.

Hon. Winnie: Mr. Speaker, allow me to finish. I want it to go on record that I am supporting the Motion of today.

Hon. Speaker: Hon. Shirley!

Hon. Oyuago: Thank you, Mr. Speaker. I am going to support the document basically for one reason. Last week we sat here up to 8.00 p.m. in a Committee of General Oversight discussing the same document! The only person I can excuse---

Hon. Otiato: Mr. Speaker, for avoidance of doubt, we sat here and all other speakers who have been speaking here are raising matters. Though we raised issues, some of them were not handled and they have not been handled here. Is it in order for Hon. Irene to suggest that everything was sorted out here? These issues have not been addressed!

Hon. Speaker: Hon. Shirley, please continue! Let us be brief and not repetitious.

Hon. Oyuago: I am not going to respond to that, I will leave it to the Mover to respond. There is one concern in this Budget, question 4 on page 2, how was the additional of transfer from the National Government of the money shared? The response from the Executive, allow me to read and I will put my concern across.

"The Executive proposes to enhance allocation of department of Health to help bridge the funding gap that was occasioned by the sudden withdrawal of the US Government in funding HIV and AIDS programme by 50%." I am a Member of Health Committee and I support the initiative of adding more funding to the department of Health but the answer is not convincing at all.

If the allocation was reduced or the funding was reduced by 50% on HIV programs, and again they are contradicting themselves, it means if it is 50%, it means that 50% of equivalent amount was supposed to be taken to that department.

The other day we were asking the CECM to talk about the issue of corona virus related to the Supplementary Budget but we did not get any clear response. That is my main concern on this document on the response, it is not convincing enough, we need explanations on the Kshs. 118 million. As at now, Siaya County should not put HIV as a priority. Why should you put HIV as a priority, something that is got out of carelessness!

Hon. Adala: Matters HIV/AIDS are not issues that we can joke around with especially when that stigmatizing sentiment comes from a Member of the Health Committee. We cannot look at HIV as a simple thing when statistics are out there, it is very unfortunate.

Hon. Speaker: Hon. Shirley, I think as a representative of the people, we should be mindful of those who are suffering from this HIV condition. Alleging that it is got out of carelessness, I think it is not good enough. Will you proceed please?

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Hon. Oyuago: Thank you, Mr. Speaker, I withdraw the term carelessness but it should not be a priority. We have so many organizations that are handling the same. Why should we put more strength on HIV while we can source money from other donors to do the same? That was my concern but I care for those people, I live with them, I interact with them like daily. I am also a medic and there is nothing wrong when I say that because sexual intercourse can be avoided. Thank you.

Hon. Odinga: Thank you, Mr. Speaker. I think HIV/AIDS is a very sad state of affair. Hon. Shirley has not withdrawn the statement genuinely. Please ask Hon. Shirley to withdraw the statement with respect because after she had withdrawn she again made a sweeping statement. How about the children who are being born with HIV, are they careless? I think as leaders and more especially as mothers, this is very disappointing.

Hon. Mboha: Mr. Speaker, I think Hon. Shirley needs to withdraw that statement. It discriminates people living with HIV/AIDS. It is sad that a person of her stature can make such a reckless statement and we are seated here listening to her. I think she needs to apologize and urge her to strongly never go on such low level. Thank you.

Hon. Speaker: Hon. Shirley, will you withdraw and we proceed please?

Hon. Oyuago: I withdraw and apologize.

Hon. Speaker: Thank you. Hon. Omwende Please!

Hon. Omwende: Thank you, Mr. Speaker. In the House, we all have different ideologies and nobody should dictate ideology. And for that reason, I have my own that is not persuaded by anybody. This is my stand over the report, and first I support.

I am supporting this report after a long discussion and every issue that was there and very genuine was discussed and we all concluded. But here comes that I am rejecting what I was participated in, it looks odd and I will not do that. Where I thought the mover should also reply, the other time when we were discussing, it didn't come out clearly about the capitation.

The reasons as to why the Government could not give vocational training money. I will request the mover to reply over the same. The issue of recommendation no. 4, I can't take this for granted. For sure the Budget Committee has tried their level best so that the money that was misplaced somewhere has already been retained, I am very happy. Thank you.

Hon. Speaker: Hon. Edwin, Member for South Sakwa!

Hon. Odhiambo: Thank you, Mr. Speaker, Sir. I also rise to support the report. Many things in this report are correctly reported. I request that by the time the Mover will be replying, the clerks should be very much keen so that when we finally receive the appropriation, things are in order.

When you go to response, where we have question 1, what is the rationale for the preparation of 2019/2020 supplementary Budget? You move to reconcile the balances brought forward from 2018/2019, I think that will give us direction that there are a number of things which were not captured in the FY 19/20 and they were supposed to be in the rollover.

I really support what Hon. Otiato said; that even in my Ward if I may not mention others, there are a number of issues which I raised. I have been consulting with the Budget Clerk, Omollo and his words were implying that these things have been captured in the report. There

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has been a tendency of us articulating things in this House and when it comes to the final copy of the Budget they are not captured.

I would kindly request that the Chair plus the Committee and that is why I requested the clerk and I hope also the Hansard is capturing what I am speaking about. That the sports allocation in my Ward which was rolled over to 2019/20, when it came to its implementation, Kshs. 200,000 was rolled over while I budgeted for Kshs. 500,000.

When we came to the planting of trees at Migwena Sports Ground, I budgeted for Kshs. 500, 000, finally when the contractor consulted with the budget, I don't know how they normally consult and I went to consult with the Budget Committee it was Kshs. 100,000. Up to now the contractor has been taken to the site, immediately he saw that the money had been reduced he left the site and the project is not on.

I was requesting that for the purpose of clarity when it comes to the final paper, I thought the Committee could have added that one as an annex so that when we pass something it should have content. I request that that one be done before we pass the final Supplementary Budget.

Apart from that, I would also get much concerned about the PMC money. The PMC money issue was raised here when we were in the Committee of General Oversight. The money has never been paid to any PMC apart from the one which was squandered by the Administrators. I am really wondering how a project is done, it is paid to the contractor and the PMCs are not being paid.

On question 12; how is the County Executive administering the Project Management Committee money? The response is that; the money is there but it is deposited in a separate account. Which account? I think that account should be very much clear because the accounts which are not clear the money get lost in them.

We need that money not to be stored or be banked in a separate account. Otherwise if those inputs are added, I think I stand to support this document in totality. Thank you

Hon. Speaker: Hon. Member for Ugunja.

Hon. Oor: I rise to support the Report as well as recommend the Committee for a job well done.

I want to talk on the issue of collection of revenue of this County, which is very poor. I therefore, want to propose to the Executive to advertise a tender so that if there is any organization that can collect 99% revenue instead of what we see being collected here then to take over the collection exercise.

In the Budget of 2018/2019, I allocated Kshs. 700,000 for purchasing trees, and before even the planting of trees began, Kshs. 200,000 had already been taken by unknown contract and now only Kshs. 500,000 is in the rollover. So I really wonder where these cartels come from and therefore, we want the cartel holding Siaya at ransom known, thank you.

Hon. Oduor: Thank you, before I proceed or contribute to the Motion before us allow me to send a warm welcome to some of my voters from West Ugenya Ward. Members who worked tirelessly led by Lawrence Opiyo seated at the Gallery and are members of Boda Boda sector who contributed on my being here.

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On the Motion before us, I really thank the Committee on Budget, chair budget can you kindly concentrate! I want to thank Committee on Budget that has worked tirelessly to bring us the report, but I would like to remind the Committee led by Hon. Madialo that during the General Oversight Committee in this House, I raised a number of concerns that were supposed to be captured on behalf of West Ugenya people.

Looking at the report, I have seen people of West Ugenya given Kshs. 871,868 without any breakdown. When I raised the issues, I even presented documents indicating that there were some projects missing in the Supplementary Budget.

This was fencing of Bar Olengo market at Kshs. 650,000, Fencing of Mudondo dispensary at Kshs. 650,000 and Completion of Nyamnina Youth Polytechnic, which had not less than Kshs. 3.2 million but what is in the supplementary is Kshs. 1.5 million. The construction of Nyamnina was terminated from the prior contractor and awarded to another contractor, but now that its money is missing in the Supplementary, I am wondering how this contractor will be paid.

I also raised a concern on the protection of Usenge water spring, which was Kshs. 500,000. It was awarded to a contractor who did it half way and this was in 2015. To date, the money is not reflecting in the Supplementary. I also had Bar Anyanga pipeline extension, which is specifically in my Ward. It was not captured in the document before us. I also had construction of a Social Hall in Masat East, which was allocated Kshs. 1 million.

Mr. Speaker, Sir, the document that I am reading here today was also submitted to the Budget Committee and I would have been happy if the document is attached to the report. I am really emphasizing on this so that the chair of Budget Committee ensures that it is done and these monies are back to my Ward.

I support but strictly request the chair to indicate or ensure that this reflects on the Report. Thank you.

Hon. Speaker: Hon. Omoro, you be quick because we also have the Education Committee report, which we want to dispense with. It is a brief one.

Hon. Omoro: Thank you, I also rise to support the report and as much has been said I support the report because it has highlighted the areas of deficit; areas in which there were high targets that were never met. These areas had led to a lot of rollovers because without the realization of the targeted inputs then the Budgets is never aligned properly.

You find that the Supplementary Budget has addressed for instance the deficit of Kshs. 495 million part of which is attributed to lack of enough revenue collection cumulating to Kshs. 135 million. The other part was the lease of medical equipment that was never realized totaling to Kshs. 200 million and Kshs. 160 million that was never realized that was to come from grants.

I also support the document because it has clearly aligned the status of rollover projects, which will enhance the completion of rollover projects so that at least, as we move to the realization of Siaya development vision we find that most of the initiated projects are followed to the later and completed. We find that the Report has also captured the Special interest group like the Youth, women and people living with disability by allocating them Kshs. 10 million each.

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I find that the report has also aligned the additional equitable share from the National Government totaling to Kshs. 118.9 million. It is clearly said how money from the National Government has been utilized by making sure that Health as a needy department encompasses on our health has been allocated the bigger chunk of the money of Kshs. 117.9 million.

Due to the Corona pandemic, these are some of the areas that the Supplementary is meant to address. Normally, the supplementary Budget is meant to address the undoings that were never disputed.

So you find that owing to the fact that Covid-19 pandemic is a scourge that has befallen the whole World I think it is inevitable and it is in order by seeing to it that the County Government indulges into putting allocations to mitigate the far reaching effects of these. I therefore, do not have much to say but as a Budget Committee Member, I stand to support and urge other fellow Members to support. Thank you. .

Hon. Ochieng: Thank you, Mr. Speaker, Sir. Let me start by thanking the Committee for having gone through a difficult time, and we know that the act of coming up with the supplementary and balancing the figures is not easy. I want to tell the Committee that the reasons some Members are against the report and the Chair should consider that when replying.

There were some submissions that Hon. Members were given opportunity to give changes they wanted done in their Wards. Yet, in this report, they are not anywhere not even mentioning of considerations in the recommendations.

I want to urge them to consider that and ensure that the submissions that were made by Members are factored in because I know there is a law that restricts us to some percentage, which I believe most of us adhered to.

I also wanted them to be clear for those changes that could not take place and tell the Members the truth that the changes you wanted on this particular case can't be implemented and hence, Members be contented with the report.

On the corona issue, I want to believe that there has been a consistent communication from the National Government as much as Counties we should be prepared. I want to urge our County Government to use money sparingly on this corona issue because the National Government also has given out money and is having plans on how to tackle the pandemic.

I therefore think that there should be a clear communication from Siaya County Government to the National Government on how they can get support from the Government on the same. As a County we have very minimal resources that we should always work on how to economize and use it appropriately to benefit our people.

Allow me to finalize with the Sport issue because as Hon. Otiato was contributing it was as if he was advocating for every Member and I believe that it is something affecting almost all the 30 Wards. So there should be a clear communication just as chairlady Sports has already indicated that they have a Report.

How I wish we would be debating this when we have already looked at their report so that we get to know whether these things that have been considered in this report are there. Therefore, I really want to trust the Budget chair when he says that they have considered the sports monies in the Supplementary.

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My warning to the Budget Committee is that this is not the last document we are discussing in this Hon. House. We still have more documents to discuss in this House in terms of Budget. I want them to know that now that they have assured us and we have given them a clean bill of health, that we are supporting this report believing that our requests as per the supplementary are going to be considered.

It will not take long before them coming back here with another document. Therefore, we are trusting them and let this document be implemented as it has been communicated here. Otherwise, I support this and those who will be implementing it. Thank you.

Hon. Speaker: I want to call upon the Mover to reply.

Hon. Madialo: Thank you, Mr. Speaker, Sir. Allow me very humbly to tell my brothers and sisters that the only Corona I brought here is on paper. It would have been much more dangerous if we brought the Corona in our bodies.

Let me start with Hon. Oduor Odongo of West Ugenya. West Ugenya; Kshs. 871,868 and the break down is:

Kshs. 6364 per trainee. So what you should go and establish is how many trainees you have in West Ugenya and calculate it. If those trainees multiplied by 6364 come to Kshs. 871,868 that is the break down.

The Hon. Majority leader talked on it comically but it is a very important point he was sending a cross. He is saying that, 'let us invite an independent body so that our revenue collection is up to expectation.' I have heard Members loud and clear return this or return that, but you return with money. So when we are not collecting money because the collection system is porous, projects fall aside and they fall with money.

Therefore, I have given an undertaking and the report is quite clear for those projects that were in the Kshs. 15. 5 million, if there is interference they shall all be returned and I have a way of getting what every MCA required.

Everybody wrote in their own handwriting and signed and we have all of them not what was written recently but the ones when we were doing the Budget. We are going to pick those documents and read them against every provision to the appropriations level. Therefore, it is not true that somebody is going to interfere with what the MCAs, their Committees and their people on the ground gave out to be taken in to considerations in the projects?

On sports I do not want to be the Executive's advocate on this because there is a chair for Sports and we have heard how the membership of the Committee is talking, and I did not want to get my feet into fire by defending a position.

I know that there was no allocation for sports in Alego Usonga and that is why you will find a Ward that has Kshs. 1 million and it is because there was no uniform provision for sports. However, because I do not want to put up an argument which my colleague, Nancy will be able to present, I will go by the Speaker's ruling that the Sports Committee brings their report so that it informs how we move forward with that complaint.

With this exception, that if you had provision for Kshs. 500,000 and then when you come back they tell you it is Kshs. 200,000. What you are to find out is how they have spent

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Kshs. 300,000 because they might have spent it without asking you to give them a work plan and they are the ones who execute.

Such is represented in the sentiments of Hon. Oponga when he says that he gave a work plan and that that work plan did not include cash rewards, but somebody was talking about cash rewards and he said “No! I did not give such a plan.” Which means that there may be Wards where that money has been spent with the exemption that an explanation has not been given. That is for the Sports Committee, they will bring it to us.

I talked of Corona; is an emergency even at the National level. It would be a very bad day in our hearts to suggest that if... let us leave Corona side alone. That if there is Cholera outbreak here today and it is killing people that because somebody performed poorly in the Ministry of Health now we do not work towards eradicating Cholera as a way of making a point to the person who didn't work well. Let us save our people then ask these people about the work they did not do well earlier.

It is an emergency and these people have informed us but in Law under the PFM Act, they are also allowed to just spend on it and then come and explain because it is an emergency. However, fortunately in this case before a report was done on the Supplementary Budget, they have explained.

I am not saying that they have a blank cheque to do as they wish, but it is an emergency that has closed even shops, Ministry of Lands, Judiciary and even Parliaments; perhaps yours is the only Assembly brave enough to gather and debate to the time that we have debated. Other people are closing away in fear.

The Hon. Oriaro is straightening my coat because I was straightening his when he was opposing my report, but he is seated here. The Kshs. 2 million of Kamlag that he spoke about with a lot of emotions and I have followed it because he was complaining about it being removed from the Budget.

I have followed it without telling him and the explanation is those people who were with him in the meeting thought he wanted the money transferred to where it is and I have told them that money must go back to where Hon. Oriaro wants it because he is saying where you have taken it is already fenced.

Hon. Oriaro I am giving you an undertaking that this Kshs. 2 million will be taken where you want it. In the same light, Hon. Member is saying that Kshs. 3 million, Kshs. 6 million that means out of the Kshs. 15 million Central Alego might have had only four projects. That is a very easy exercise for the Committee is going to pick the documents he gave when he was proposing projects, and we shall return them according to what was given in June.

Why do I say that? Allow me to report humbly that I have Members and I will not mention names who change it themselves and once that is executed, they come and complain. We have had that more than once. I am not saying that any complain is in vain but I know that once or twice but because Hon. Member from West Ugenya wants to rise on a point of Order I want to confirm that on this Floor.

I will not address the issue of Yimbo sports thing because the Sports Committee has it in their report. Women's allocation; I think the interest group members answered themselves. PMC

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monies are a percentage of the contract money and the contract money is what is in the Budget. Therefore, you cannot have money aligned for PMC because PMC is part of the cost.

You cannot create a Budget aligned in the Budget for PMC and for the records; MCAs are not to control the PMC. It is that that is supposed to be carried by the Executive because they are not even transparent in the manner they do it so we cannot take responsibility. So for PMC monies I cannot answer, I cannot answer because it is not part of the Budget estimates we look at, we do not. We look at the projects not how it is...

Hon. Edwin might not have followed the Budget report earlier, but I do not want to argue with the provision he says he has put there. But if he remembers well the position of the Committee which was adopted then was that projects in Migwena that have allocation below Kshs. 50 million be taken out.

That we concentrate on finishing the two major stadiums in the County and that when they finish with Siaya we cross to Bondo and do Migwena. I am sorry to even preempt this, but that is the position of what is being provided for Migwena playing grounds. I will follow on that.

On this, my sister and friend, Madam Shirly had apologized but I would wish to urge because sometimes I also fall victim to it that my brothers and sisters for every statement you make sometimes think that you might be having 40 people next to you. So for example, let me don't use that example but if for example you say, why do poor people marry then why are they asking us to help them...

Hon. Speaker: Mover, avoid the discussion around HIV and proceed.

Hon. Madialo: Thank you. I want as I sit down to thank my brothers and sisters who have contributed to this Motion and allow me also to stress this that I am grateful to those who have supported and equally grateful to opinions of those who opposed; their contributions add value to the extent that they improve on our thinking and on the report. However, I want to state that 'I wish' on the Budget will always be there because if wishes were horses everybody would ride.

Mr. Speaker, you and I know that not even a General Oversight to sway or whip people into supporting this Motion has been done. This is a matter that people have contributed both positively and negatively in their own volition and from the heart. Thank you so much in supporting and may Hon. Oriaro join you in saying "Aye".

(Question put and agreed to.)

Hon. Speaker: Hon. Members, I am aware that we are regulated by the hours of meeting and I am equally aware that we started late by about 30 minutes. By leave of the House if you accept we can continue with the Education Committee report and if there are objections can we know by way or raising hands.
Yes!

Hon. Opanga: Having taken our time to deliberate on the Supplementary Budget most of us are exhausted, but all the same that was brought so I would kindly just request the Committee to table it so that we discuss it on Tuesday.

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Hon. Speaker: Education Committee, what is your take?

Hon. Mboha: Thank you, chair. The report is a very light one and it borders on mode of disbursement and accountability. There are some sections that would require that we reproduce the forms that we had distributed earlier on Tuesday because for us to process some of these things throughout the week... Therefore, we are requesting ...

Hon. Speaker: Does it require voting?

Hon. Mboha: Yes.

Hon. Speaker: Then just do this in the interest of time because I know again that people will say it is in form of a Motion and we cannot pass the stages at the same time. Give us a brief just like a progress report in like 5 minutes then we just proceed, it is laid we will discuss it another time because my fear is suppose it is rejected, will the other stage not proceed?

Hon. Mboha: Thank you, just as I have said on this particular report I think every Member has a copy...

Hon. Odongo: As a Member of that Committee I am disagreeing with this one because I have been to Nairobi several times and I do not know where this one is coming from,

Hon. Speaker: Are you a Member of the Committee? Okay, let him just give progress report.

(Members consulting loudly)

Order, Order, Order! Hon. Members. Let him give a progress report just in 5 minutes. Give Hon. Booker the microphone.

Hon. Booker: Mr. Speaker as you have ruled I think it is even unnecessary for briefs because this report is already infected. So please let us discuss it on Tuesday thoroughly.

Hon. Mboha: Thank you, I therefore, just want to lay it...

Hon. Speaker: It is as if Members want to discuss it on Tuesday, but just allow him to make just two statements.

(Members consulting loudly)

Order, Order, Order! Hon. Members. Proceed quickly please.

Hon. Mboha: Thank you, I wanted Members to keenly look at the areas we have highlighted on the list that we have provided then verify with the list from the Clerk Misolo then the rest we can debate on Tuesday.

Hon. Speaker: It will be laid on Tuesday and debated there on or you want to lay it? Okay, proceed and lay it.

(Laughter)

Hon. Odongo: Mr. Speaker, I would request that going by the decision of the House that the report is being laid then let it be laid procedurally.

Hon. Speaker: Order, Order, Order! Hon. Members. The document has been tabled; the processes and procedures will follow. Hon. Members, you are aware that as per our Calendar we were supposed to go on recess as from today but have been informed by the whip in consultation

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with the Majority leader and the Budget Committee that we have just passed the Supplementary Budget and we must then follow it with the Appropriation Bill considered by the House. Therefore, I want to move a Motion that we alter our Calendar and come back here on Tuesday.

Hon. Olasi: Thank you, I want to bring into the attention of this Hon. House the issue of Corona virus as we know and are all aware of its effects outside here. We also know that we have passed the Supplementary Budget which must then be followed with the Appropriations Bill, so I would put a humble request that Members avail themselves here on Tuesday so that we proceed with the available business and make Siaya County move forward.

Hon. Speaker: Who is seconding?

Hon. Olasi: I call upon Hon. Madialo to second.

(Hon. Madialo seconded.)

(Question put and agreed to.)

MOTION

ADJOURNMENT

Hon. Speaker: Hon. Members would we be upstanding for adjournment. Hon. Members, there being no other business this House stands adjourned until next week Tuesday, 24th March 2020 at 2.30 p.m. in the chamber.

The House rose at 4.55. p.m.

