

BARINGO COUNTY ASSEMBLY
THE HANSARD
SPECIAL SITTING

The House met on Wednesday 30th June, 2020 at 10:25 AM

The Speaker (Hon. Kiplagat) in Chair

PRAYERS

The Speaker (Hon. Kiplagat): Clerk.

MOTION

REPORT OF THE BARINGO COUNTY GOVERNMENT
REVENUE AND EXPENDITURE ESTIMATES FOR 2020/21 FY

The Speaker (Hon. Kiplagat): Chairman Budget and Appropriations Committee.

Hon. Aengwo: Thank you Mr. Speaker sir. I now move the Motion that Pursuant to the provisions of Article 220 and 224 of the Constitution of Kenya 2010 and Sections 129, 130 and 131 of the PFM Act, 2012 as read together with Standing Order 212 of the Baringo County Assembly Standing Orders this House resolves;

- 1) To approve the Report of the Budget and Appropriations Committee on the Baringo County Government Estimates of Revenue and Expenditure for the year 2020/2021 FY laid on the Table of the House on the afternoon of Thursday the 21st day of May 2020;
- 2) To approve the issuance of a sum of Kshs 6,176,254,057 from the County Revenue Fund (CRF) to meet the Expenditure during the Financial Year ending 30th June 2021 in respect of the votes as contained in the First Schedule.

Mr. Speaker sir in our report we have the glossary of abbreviations and acronyms, so that anybody reading can be able to refer back.

Introduction Mr. Speaker sir, allow me to present to this Honourable Assembly for adoption, the report of the Budget and Appropriations Committee on the Budget Estimates of the Baringo County Assembly and the Baringo County Executive for the 2020/2021 FY.

Mr. Speaker sir, Section 131 of the Public Finance Management Act and Standing Order 212 of the Baringo County Assembly Standing Orders gives mandate to the Committee to discuss and review the estimates and make recommendations to the House after taking into account the recommendations of the Assembly Sectoral Committees and the views of the County Executive Committee Member (CECM) responsible for Finance and the public.

Mr. Speaker sir, the Budget Estimates for the 2020/2021FY for both the County Assembly and the County Executive were tabled in the Assembly on the afternoon of Thursday 21stMay2020 and were committed to the Budget and Appropriations Committee and as per the provisions of the Law it was deemed to have also been committed to all Sectoral Committees of the Assembly for consideration.

Further the committee in conforming to the requirements of Section 131(2) of the Public Finance Management (PFM) Act and Standing Order 212 (5) of the Baringo County Assembly Standing Orders, invited the County Executive Committee Member (CECM) for Finance to shed light on the issues noted above and for an exit meeting where he gave his views on the recommendations of the Committee on the Budget Estimates.

Mr. Speaker sir, the committee held meetings to receive Sectoral Committee presentations on 11th June 2020 and 12th June 2020 in conforming to the requirements of Standing Order 212 (3) and (4).

Mr. Speaker sir, public participation on this Budget was held amidst stringent measures to counter social gatherings; as such it necessitated innovative ways of reaching out to the Public. The committee organized public participation meetings with members of the public in the six Sub County Headquarters via Zoom Video Conferencing Application, with a live feed running on Radio Alpha and the Assembly Facebook page.

Further, WhatsApp groups were formed for each ward where members of the public gave their views on the Budget Estimates. To ensure civil society was not left out during public participation on the Estimates, the Committee held a live presentation of a memorandum from the members of the Baringo County Civil Societies Forum (BACSOF) via Zoom.

I think Mr. Speaker sir we are one amongst many Counties that actually had a different way of doing public participation and I want to thank your office for doing this. The Committee was forced to take a break from the report writing exercise to allow for the perusal and approval of the Second (2nd) Supplementary Budget Estimates of the Baringo County Government for the 2019/2020FY, that appropriated 84 Million from the National Treasury towards fighting the COVID 19 pandemic amongst other small adjustments.

Mr. Speaker sir on the legal framework the Committee was guided by the following legal provisions in the finalization of this report:

Constitution of Kenya; Article 220 provides for the form, content and timing of budgets and reads thus;

220. (1) Budgets of the National and County Governments shall contain;

(a) estimates of revenue and expenditure, differentiating between recurrent and development expenditure;

(b) proposals for financing any anticipated deficit for the period to which they apply; and

(c) proposals regarding borrowing and other forms of public liability that will increase public debt during the following year

On County Appropriation Bill; On the basis of the Division of Revenue Bill passed by Parliament under Article 218, each County Government shall prepare and adopt its own annual budget and appropriation Bill in the form and according to the procedure, prescribed in an Act of Parliament.

A County Assembly shall (a) conduct its business in an open manner, and hold its sittings and those of its committees, in public; and (b) facilitate public participation and involvement in the legislative and other business of the Assembly and its committees.

Mr. Speaker sir, the Committee adhered to the provisions of this Article and others related to Public Participation.

On public Finance Management Act; the Committee as well as the County Treasury adhered to the following provisions of the PFM Act:

Section 129 (2) following approval by the County Executive Committee, the County Executive Committee member for finance shall;

(a) submit to the County Assembly the budget estimates, supporting documents, and any other Bills required to implement the budget, except the Finance Bill, by the 30th April in that year; and (b) ensure that the estimates submitted in subsection (a) are in accordance with the resolutions adopted by County Assembly on the County Fiscal Strategy Paper. Each County Assembly shall prepare and submit to the County Assembly...

(Loud Consultations)

(3) Sorry, each County Assembly Clerk shall prepare and submit to the County Assembly the budget estimates for the County Assembly and a copy shall be submitted to the County Executive Committee member for finance. (4) The County Executive Committee member for finance shall prepare and present his or her comments on the budget estimates presented by the County Assembly clerk.

(5) The County Executive Committee member for finance shall ensure that the budget process is conducted in a manner and within a timeframe sufficient to permit the participants in the process to meet the requirements of the Constitution and this Act.

(6) As soon as is practicable after the budget estimates and other documents have been submitted to the County Assembly under this section, the County Executive Committee member for finance shall publish and publicise the documents.

(7) Upon approval of the budget estimates by the County Assembly, the County Executive Committee member for finance shall prepare and submit a County Appropriation Bill to the County Assembly of the approved estimates

On section 131, the County Assembly shall consider the County Government budget estimates with a view to approving them, with or without amendments, in time for the relevant appropriation law and any other laws required to implement the budget to be passed by the 30th June in each year;

Before the County Assembly considers the estimates of revenue and expenditure, the relevant committee of the County Assembly shall discuss and review the estimates and make recommendations to the County Assembly, and in finalising the recommendations to County Assembly, the committee shall take into account the views of the County Executive Committee member for finance and the public on the proposed recommendations;

An amendment to the budget estimates may be made by the County Assembly only if it is in accordance with the resolutions adopted regarding the County Fiscal Strategy Paper and if (a) any increase in expenditure in a proposed appropriation, is balanced by a reduction in expenditure in another proposed appropriation; and (b) any proposed reduction in expenditure is used to reduce the deficit.

In section 12 of the Second Schedule of the PFM Act provides for the Preparation and Submission of the Budget Estimates in Programme Based Budget Format (PBB).

The implementation of programme budgets shall commence in 2013/14 financial year for the National Government and in the 2014/15 financial year for the County Governments constituted under Chapter 11 of the Constitution.

Mr. Speaker sir, it is important to remind the members that the County Treasury adhered to the provisions of this section

In Baringo County Assembly Standing Orders, Standing Order No. 124 (4) provides thus

A committee to which a Bill is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the committee makes its report to the House within 45 calendar days.

Presentation of Budget Estimates and committal to committees; Standing Order No. 192 (3) gives the Committee the Mandate of discussing and reviewing the Budget Estimates and it reads thus;

1. The functions of the Committee shall be to;
 - b) Discuss and review the estimates and make recommendations to the House;
 - d) Examine Bills related to the County budget, including Appropriations Bills; and (e) evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

On Standing Order 212. (1) provides that;

A Member of the County Executive Committee responsible for finance and the Accounting Officer of the County Assembly Service Board shall, not later than 30th April, respectively submit to the County Assembly, Budget Estimates and related documents specified in law for the County Assembly and County Executive;

The Estimates and related documents submitted under paragraph (1) should be laid on the Table of the House within three days of submission;

Upon being laid on the Table of the House, the Estimates shall be deemed to have been committed to each Sectoral Committee without question put, for each such Committee to deliberate upon according to their respective mandates.

Each Sectoral Committee shall consider, discuss and review the Estimates according to its mandate and submit its report and recommendations to the Budget and Appropriations Committee within 21 days after being laid on the Table of the House;

The Budget and Appropriations Committee shall discuss and review the Estimates and make recommendations to the House taking into account the recommendations of the Sectoral Committees, the views of member of the County Executive Committee responsible for finance and the public.

The Committee mandate Mr. Speaker sir, the Budget and Appropriations Committee draws its powers and mandate to coordinate and oversee the Budget making process from Standing Order 192 (3) of the Baringo County Assembly Standing Orders which states that the Committee shall;

- a) Investigate, inquire into and report on all the matters related to coordination, control and monitoring of the County Budget,
- b) Discuss and review the estimates and make recommendations to the County Assembly
- c) Examine the County Fiscal Strategy Paper presented to the County Assembly.

- d) Examine Bills related to the County Budget, including Appropriations Bills; and
- e) Evaluate tax estimates, economic and budgetary policies and programmes with direct Budget outlays.

The committee composition Mr. Speaker sir, the Budget and Appropriations Committee as currently constituted comprises the following Honourable members;

I am the chair Hon. John Aengwo, Hon. Paul Kibara is the vice Chairman, Hon. Lawi Tallam is a Member, Hon. Renson Parkei is a Member, Hon. Daniel Tuwit Member, Hon. Reuben Chepsongol is a Member, Hon. Jennifer Kiptoo is a Member, Hon. Maria Losile is a Member and Hon. Ben Koech is a Member.

Mr Speaker sir, in finalizing this report the Committee was facilitated by the following technical Officers of the Assembly; CPA Richard Koech ,Clerk to the Assembly, Mr. Jackton Kimutai, Clerk to the Budget and Appropriations Committee, Mr. Jonathan Kiptum, Clerk to the Finance and Economic Planning Committee, Mr. Ronald Cherutich, Principal Budget Officer, Mr. David Rotich, Fiscal Analyst, Mr. Jaffred Chepsoi, Accountant, Mr. Emmanuel Kubai, Hansard Reporter and Mr. Amos Kiprop, Sergeant at Arms.

I would like to acknowledge Mr. Speaker sir that on behalf of the committee, I would like to appreciate the support received in form of facilitation from the offices of the Speaker and Clerk to the Assembly that enabled the whole process of development of this report from facilitating public participation, facilitating sectoral presentations to the actual report writing.

Mr. Speaker sir, the Committee would also like to thank the County Executive led by the His Excellency the Governor Stanley Kiptis, His Excellency the Deputy Governor, Jacob Chepkwony, the CECM Finance and Economic Planning Hon Richard Rotich and his team for their views during consultations to finalize this report.

Mr. Speaker sir, the committee also acknowledges the Sectoral Committees led by their Chairs and Committee Clerks for taking time to peruse the budget documents and present their Sectoral reports to the Budget and Appropriations Committee (BAC).In addition the Committee acknowledges Members of the County Assembly representing the various wards for their willingness and ability to assist the Committee in clarifying issues pertaining to their Ward Projects.

Mr. Speaker sir, the committee also wishes to acknowledge the members of the public who took time to give their views at the Sub County Fora through Zoom, Radio call ins, WhatsApp or through presentation of written Memoranda. The Committee further acknowledges the Baringo civil Society umbrella group BACSOF which through one of their members the Centre for Enhancing Democracy and Good Governance (CEDGG) facilitated interactions with the Committee via Zoom as well as facilitating Radio Talk shows and publicity of the Public participation fora on Community Radio.

Mr. Speaker sir, the Committee also appreciates Radio Alpha, Tum Digital and Sovereign Insight for enabling the successful execution of live public participation through Zoom, Radio and Whatsapp.

Mr. Speaker sir, last but not least I wish to appreciate the membership of the BAC and the technical team, for their time, wise counsel, encouragement and patience towards the successful finalization of this report.

Mr. Speaker sir, It is now my pleasure and honourable duty to present to this Assembly the report of the committee on the Budget Estimates for the Baringo County Assembly and the Baringo County Executive for the 2020/2021Fy for debate and adoption.

On committee findings Mr. Speaker sir, the Committee made the following observations on the Budget Estimates as submitted by the County Treasury.

Mr. Speaker Sir, It is important at this juncture to inform members that upon receipt of the Budget Estimates the Committee in complying with the relevant Laws, the Committee ascertained the Completeness of the presented Budget Documents and observed the absence of some crucial documents which they demanded from the County Treasury. These Documents that should have come alongside the Budget Estimates included the following:

Mr. Speaker sir for us to actually well, there are some documents that we need so that issues can be clarified. One of them that we have been asking them to provide is the;

- I) The County Appropriations Bill 2020;
- II) Detailed list of all phased projects as presented in the Approved CFSP 2020/2021FY as it was passed in this House;
- III) Detailed Departmental breakdown of Ward Specific Projects amounting to... I think it is suppose to be 420 million;
- IV) Clear and certified copies of Ward Public Participation project resolutions the presented documents had Whatsapp Screenshots which was not clear Mr. Speaker sir and the committee had rough time, they were not visible.
- V) Detailed projection of Local Revenue amounting to Kshs 296,088,720 were also not provided. They only gave us a lump sum figure but I am happy later on they provided;
- VI) Detailed Summaries for Development Expenditure, Recurrent Expenditure, O&M and Personnel Emoluments;
- VII) Itemized Budget for each Budget entity for both Development and Recurrent Expenditure;
- VIII) Tentative list of projects with Capital Transfers from the 2019/2020FY to the Next Financial Year, that is rollover projects.
- IX) Soft copy of the Budget Estimates
- X) Any other Document that may assist in the analysis of the presented Estimates

The County Treasury submitted the requested documents except:

The gazetted County Appropriation Bill 2020

The Itemized Budget for each Budget entity for both Development and Recurrent Expenditure;

The tentative list of projects with Capital Transfers from the 2019/2020FY to the next Financial Year, those are rollover Projects.

The Committee invited the Treasury team to clarify the true position on the documents which was done during Consultative meetings.

On phased projects Mr. Speaker sir, you know in our 1st supplementary of 2019/2020 FY, there

were some projects that were phased out.

Upon analysis of the Phased Projects that were approved in the making of the CFSP 2020/2021 to make a first charge in the Budget Estimates, it emerged that there were errors and discrepancies in some projects to the tune of Kshs 59,750,000. The errors were in form of exaggerated figures and double allocations for some projects that necessitated cleaning of the Phased Projects List thus;

Because our phased projects when we were presenting our CFSP Mr. Speaker sir was 644 million but now it has come down, this are the projects that had accelerated figures.

Chepkurgei-Tuyobei Kapchemirmir road be reduced by Kshs 36,000,000 to read Kshs 4,000,000
Cheptunoyo to Natan Road be reduced to 0 as the project allocation was distributed to other projects.

Construction of Kabiyeet maternity ward be reduced by Kshs 5,000,000 to read 0. These were movements that Hon. Member also made and we did not want to have double allocations.

Chemususu Dispensary extension be reduced by Kshs 1,000,000 to read 0 as the project funds were moved to Kamng'oech Dispensary.

Kachelitwa Pry Borehole be reduced by Kshs 1,500,000 to read Kshs 500,000.

Yemit Borehole be reduced by Kshs 2,000,000 to read 0 which was distributed to other projects.

Torokwonin Water intake be reduced by Kshs 700,000 to read Kshs 1,000,000.

Lotwol Dam be reduced by Kshs 1,000,000 to read Kshs 1,500,000.

Tebelekwo pipe extension be reduced to by Kshs 1,000,000 to read 0 as the amount was retained in the 1st Supplementary Budget.

Makao Nyalilbuch Water Project be reduced by Kshs 500,000 to read Kshs 3,072,350.

Chemokol Borehole be reduced by Kshs 500,000 to read Kshs 3,000,000.

Korio Borehole be reduced by Kshs 600,000 to read Kshs 4,000,000.

Kamisik Borehole repair be reduced by Kshs 600,000 as it was retained in the 1st Supplementary Budget.

Mokongwo Water Supply be reduced by Kshs1, 000,000 to read 0 as it was retained in the 1st Supplementary Budget.

Kalas Borehole be reduced by Kshs 500,000 to read Kshs 162,906.

Chepoyoria Irrigation and Supply of Water to Keriwak Centre and Keriwak Dispensary be reduced by Kshs 850,000 to read Kshs 1,000,000.

Kapunyany Borehole be reduced by Kshs 1,000,000 to read 0.

The Cleaning resulted in Phased projects reducing to Kshs 585,215,061.

The County Assembly budget, Mr. Speaker sir the County Assembly presented their detailed budget for the 2020/2021FY and the Committee upon perusal was satisfied that all necessary information was available in the documents presented alongside the Budget Estimates.

Recurrent Expenditure proposal submitted by the County Assembly is Kshs. 687 Million as per the County Allocation of Revenue Bill 2020 and County Fiscal Strategy Paper 2020.

Development Expenditure proposal submitted by the County Assembly is Kshs. 94 Million as per the County Fiscal Strategy Paper 2020.

Adherence to legal provisions, the Estimates of Revenue and Expenditure for FY 2020/21 and the Medium Term were submitted to the County Assembly on Wednesday, 20th May, 2020; underpinned by provisions of Article 221 of the Constitution, Sections 117, 129, and 130 of the PFM Act, 2012, Sections 6, 27(4), 32 and 58 of Public Finance Management Act (County Government) Regulations, 2015 and Standing Order 212 of the Baringo County Assembly Standing Orders.

Review of the documents submitted to the Assembly indicate a 47% Legal Compliance Rate. Annex 1 provides a detailed analysis of compliance to legal provisions to the estimates of revenue and expenditure for FY 2020/21 and the medium term. The budget is averagely compliant though some areas/issues indicate a breach of the relevant Finance laws. The breaches are in the following areas:

Breach of the Provisions of the Constitution of Kenya, 2010 in Article 220(2) (b), section 129(2) (a), of the PFM Act, 2012, Section 30(8) of the PFMA, County Government Regulations, 2015 and Standing Order 212(1) on adherence to the dates of submission of the estimates of revenue and expenditure of the County Government for the financial year 30th April 2020. The CECM for Finance and Economic Planning indicated a submission date to be 30th April 2020 and I think Mr. Speaker sir because of COVID-19 actually our submission date was pushed forward to 20th of May contrary to the legal provision that it should be presented on 30th April. Mr. Speaker sir the CECM did not either acknowledge the reasons for the delay or include any statement explaining the failure to comply with the provisions.

Breach of the provisions of Section 117 (7) of the PFM Act, 2012, Section 26 (4) and 30 (6), (8) of the PFMA, County Government Regulations, 2015 and Standing Order 211(8) on adherence to the ceilings approved in the report of the Budget and Appropriations Committee on County Fiscal Strategy Paper (CFSP) which should serve as the basis of Expenditure ceilings. The CECM for Finance and Economic Planning responsible for the management of estimates of revenue and expenditure failed to comply with those provisions. I think Mr. Speaker sir this one like the Covid-19 money that was given to the executive, that is the department of Health Services, actually it made the ceiling to burst and I think there wa a reason.

Mr. Speaker sir breach of the provisions of Section 117 (7) of the PFM Act, 2012, Section 26 (4) and 30 (6), (8) of the PFMA, County Government Regulations, 2015 and Standing Order 211(8) on adherence...I think I am repeating myself. Let's go to part c.

Breach of the provisions of Section 107 (2) (c) of the PFM Act, 2012, and Section 26 (6), (7), 32 (1) (c) of the PFMA, County Government Regulations, 2015 on adherence to fiscal responsibility principles and financial objectives on the County Government's expenditure on wages and benefits for its employees not to exceed 35% of the County Government's total revenue. The Share of wages and benefits to revenues in the FY 2020/21 is projected at 55.4%. The CECM for Finance and Economic Planning did not either acknowledge or include a statement explaining the deviation to the provisions.

Mr. Speaker sir I think it is known that the wages should take at least 35% of the total revenue collected but in Baringo County it is up to 55.4% which is hitting on our development kitty.

Breach of the provisions of Section 117 (7) and 129 (2) (a), (b) of the PFM Act, 2012 and Standing Order No. 211(8) on adherence to County Assembly recommendations when finalizing the budget proposal for the financial year. The CEC Member for Finance and Economic Planning contravened the provision. Mr. Speaker sir I think we have had some kind of complaints to the County Treasury when it comes to this section. The County Executive do not read our recommendations and I can sight one of the examples Mr. Speaker sir on Road Maintenance Levy Fund (RMLF). It was passed in this House that RMLF will be divided amongst the 30 wards but Mr. Speaker sir the executive has no idea of this recommendation.

There are quite a good number of recommendations Mr. Speaker sir, that we really recommend and we pass in this House but they are not taken into consideration by the executive. One of them is even implementation of projects be done by relevant departments. Mr. Speaker there was a time the County Treasury actually had a project of Lake Baringo- Lake Bogoria roads but we found it abnormal because Mr. Speaker sir the treasury is not suppose to undertake because they have no expertise but it was suppose to be done by the department of transport.

Breach of the provisions of Section 130 (1) (c) of the PFM Act, 2012 on adherence to provisions of information regarding payments to be made and liabilities to be incurred that require Legislative authority for such payment. The CEC Member for Finance and Economic Planning mentioned interventions arising out of a draft County Budget Expenditure Review (CBER) which did not explicitly inform the Assembly such liabilities inform of pending bills or other obligations.

Mr. Speaker sir we had an animal called over commitment and up to date, they have not submitted the County Budget Expenditure Review as they really said Mr. Speaker sir and we would like to remind them that on August the way they said, they should submit so that we can know our pending bills and other obligations.

Breach of the provisions of Section 130 (2) (a), (b) of the PFM Act, 2012 on adherence to the submission of County Appropriation Bill that clearly provides budget expenditure and clearly defines votes and programmes in the Estimates. The CECM for Finance and Economic Planning contravened the provisions of the law despite written and oral reminders.

On public participation on the estimates, the Committee noted that the County Treasury conducted Public participation on the Ward Specific Projects but information regarding the flagship projects was not availed to the Public by the County Treasury. Going forward, the County Treasury should involve the Public when discussing the allocations for both the Ward Specific and for flagship projects.

That is why in most cases Mr. Speaker sir you find the flagship projects might be skewed to specific areas leaving out other areas and especially where maybe the departmental heads come from. They normally prefer where they come from and allocate irregularly Mr. Speaker sir. We would like the County Treasury to go and also do public participation.

Nonetheless, the Committee noted that the Ward Projects contained in the submitted Estimates were product of the Public participation fora in the Sub Counties.

Mr. Speaker sir I can give some highlights on revenue. The County resource envelope for FY 2020/2021...

(Hon. Aengwo sips water)

The County resource envelope Mr. Speaker sir for FY 2020/2021 is Kshs. 6,176,254,054 comprising of equitable share of Kshs. 5.127 Billion. I know it was written in... Conditional grants Kshs. 752.86 Million and local revenue of Kshs. 296.08 Million.

Equitable Share of Kshs. 5.127 Billion, the County equitable share of revenue raised Nationally on the basis of the revenue sharing formula approved by parliament in accordance to Article 217 of the Constitution of Kenya as set out in Column D of the First Schedule of the County Allocation of Revenue Bill, 2020 shall be transferred to the County Revenue Fund (CRF) in accordance with a payment schedule approved by the Senate.

On conditional allocations of Kshs. 752.86 million, this allocation Mr. Speaker sir from the National Government Revenue, 318.52 Million is from our National Government Mr. Speaker sir and the rest 434 Million are from donors. That is on part 3 (ii).

Allocation from the National Government revenues are;

Allocation to compensate County health facilities for forgone user fees that is 13.19 Million. You realize Mr. Speaker sir on our local dispensaries and health centres, the provision of health service is free because the Government provides this user fee forgone.

Allocation for leasing of medical equipment of 132.02 Million.

Allocation from the Road Maintenance Fuel Levy Fund for repair of County roads of 152.81 Million.

Allocation for the development of Youth Polytechnics of 20.49 Million.

All these allocations shall be transferred to the CRF when they meet the conditions therein and in accordance with the payment schedule approved by the Senate.

On Conditional allocations from development partners is 434 million.

Allocation financed by a grant from World Bank to finance Transforming Healthcare Systems for Universal Care Project (THSUCP) Kshs. 98.24 Million. Mr. Speaker sir this fund is meant to prepare way for the Universal Health Care (UHC) and Mr. Speaker sir there is a pilot project that is done in four Counties at the moment for the Universal Health Care (UHC).

Allocation financed by a grant from World Bank for Devolution Support Programme (KDSP) Capacity Building level I is 45 Million.

Allocation from a grant by DANIDA to finance Universal Healthcare in Devolved System Program, 14.49 Million.

Allocation financed by a loan from Government of Sweden to finance Agriculture Sector Development Support Programme II (ASDSP II) Kshs. 13.55 Million.

All these allocations shall be transferred to the CRF when the Cabinet Secretary (CS) for National Treasury and the development partner have agreed with the CS, Treasury in Writing and in accordance with the payment schedule approved by the Senate.

On our Local Revenue Mr. Speaker sir, you will realize that this time round local revenue overall projection was adjusted downwards from the adopted 2020 CFSP projection of 393 Million to 296.08 Million owing to the effects of COVID-19 pandemic. Individual revenue streams projection was not presented in the estimates of revenue though a general statement alleged that

tourism sector as well as other revenue streams have been affected by the pandemic. In addition, it is reported that printed estimates of revenue for FY 2019/20 have dropped drastically which then informed the decision for adjustment.

This is common globally Mr. Speaker sir that the tourism sector is the most hit globally and that is why ours has come down to 296 million from 393 million which was the projection in the previous financial year Mr. Speaker sir.

With regard to estimates of revenue, the equitable share was Kshs. 5127.3M, grants and loans was Kshs. 752.8M and for local sources target to collect Kshs. 296 million. However, there was no list of proposed local revenue streams and proposed revenue target for each revenue stream. I think Mr. Speaker sir later on they provided but when we were doing this budget they did not submit.

It is also apparent to note that the County executive adjusted the local revenue target by Kshs.97.3 million from the proposed target estimate of Kshs. 393.4 million approved in the CFSP 2020. The County Executive Member for Finance and Economic Planning attributed his action to the COV-19 pandemic which has affected tourism sector and other revenue generating sectors. No statistics or data or analysis on this claim was presented to qualify the degree or extend of effect and therefore the need for revenue adjustment.

The revenue targets set by the County Treasury in the budget estimates continue to be questionable. The ordinary revenue target as per the 2019/20 printed estimates was Kshs.393 Million. The target was not revised in supplementary estimates I. However, as at the end of the third quarter local revenue receipts stood at Kshs 245.9Million, consequently, the revenue target for the FY 2019/20 is unlikely to be achieved because of the pandemic Mr. Speaker sir. The composition of local revenue and its performance are presented in Table 2.I think Members can be able to see on page 24.

The estimates of revenue for FY 2020/2021 did not provide any policy options to manage the COVID-19 shock. Seemingly the revenue effort is left unattended and things are left to take natural course. The County needs to recruit a team of experts who can study the economic environment and propose mitigating factors under all possible scenarios Mr. Speaker sir because as planning is in the treasury department it was prudent that they have ways of mitigating or future mitigating ways of the economy that is going down.

I think Mr. Speaker sir the revenue projections are shown there. The equitable share, the local revenue and the game park fees which later on they provided those revenue sources. I think some of the print out are not clear Mr. Speaker sir. There is another two sheets that have all the clear columns presented because now they showed us how they are going to get the 296 Million from our local revenue. That is the most important thing Mr. Speaker sir.

On Expenditure Analysis for County Executive, that is on page 26. Expenditure Analysis for County Executive Kshs 5,515,078,446. The recurrent Expenditure Mr. Speaker sir is Kshs. 3,768,370,783. Estimates in recurrent expenditure comprise of the compensation to employees, personnel emoluments of Kshs. 3.006.04 Billion and operation and maintenance or use of goods and services is 762.32Million. Expenditure on compensation to employees accounts for 48.67% while operation and maintenance accounts for 12.34% of the County total revenue.

The personnel emolument capped at 35% in the PFMA Regulation 2017 still remains a challenge given the intention to progressively reduce the percentage. Operations and Maintenance (O&M)

is too low to invigorate County Government operations and service delivery. Table 3 below shows where the money is going in terms of recurrent expenditure votes per entity. I think there is also another sheet. I think it is suppose to be table 2, estimates of recurrent and...

Recurrent expenditure votes are presented in programme based budget framework and itemized version using the Hyperion Module, schedules presented. Summary of estimates of expenditure by vote, sub-vote, programme, sub-programme, programme outputs, performance indicators and economic classification was indicated albeit incomprehensibly, schedules presented.

To respond to the COVID-19 pandemic, the budget does not seem to prioritize these needs except for a Kshs.153 Million allocation towards specialized medical materials, Kshs 106 Million allocation from conditional grants and supplies and a general emergency allocation of 14 Million.

The health budget remains more or less the same as the previous budgets. It is worth noting that most of the ongoing COVID-19 mitigation responses was factored and financed in the first supplementary estimates for FY 2019/2020 to a tune of Kshs. 200 Million and managed by the County Emergency Response Committee. Other support was through the COVID-19 Emergency Response Fund which provided Kshs. 84 Million for the County.

Though the COVID-19 funds have been appropriated and donations received, more transparency and accountability is key for executive organs during implementation and oversight bodies in ensuring efficient utilization of funds. Mr. Speaker sir this one we must stress because as a County we removed funds meant for development to combat or mitigate the COVID-19 pandemic. We were actually preparing and so therefore we need to see every shilling is utilised for the same so that our citizens can get value for their money.

With regard to income-related hunger or safety nets, it would have been useful to have a strategy for direct cash support for those who have lost livelihoods. Though the budget provided for Kshs.7 Million for... Kshs. 18 Million for Trade and Cooperative activities, Kshs. 11 Million for Tourism product development. It is imperative for an economic stimulus package through the budget to safeguard the County economy rather than leaving the recovery to the forces of demand and supply. Arguably, protection of businesses that are the hardest hit should be a priority Mr. Speaker sir.

Comparatively, the National Government prioritized employment creation, youth empowerment, supporting manufacturing activities, enhancing health coverage, improving food security and enhancing living conditions through affordable housing. To reap more, coordination between the two levels of Government is therefore paramount.

Estimates of recurrent and development expenditure for FY 2020/2021 Mr. Speaker sir. I think what you see in dark is those surpassed the ceilings and others that reduced. On page 29 Mr. Speaker sir, from the table 2 above the allocations was cascaded downwards to programmes and sub-programme level. Summary of programme and sub-programmes is tabulated in Table 3 below. I think we have those tables with us Mr. Speaker sir.

On recurrent expenditure has been increased by approximately 158 Million whereas development expenditure has been reduced by 256 Million from the initial projection at CFSP level. The adjustment was attributed to reduction in local revenue projection in the coming financial year.

Going into the fiscal year, it is indeed important to curtail all non-essential and non-urgent spending to create space for essential spending during this new normal occasioned by the pandemic as the economy is keenly watched. For the County Government to effectively determine what is non-essential and not-urgent expenditure, concise analysis on programmes and their targets and how they can be affected need to undertake. Mr. Speaker sir because this is time that priorities must be set so that our people may not suffer a lot Mr. Speaker sir because of the pandemic.

Critical considerations of a mix of development spending that can be qualified as a real priority under the prevailing circumstances and can be demonstrated to suffice. Non-critical expenditures can then be slowed down. So that we can go for the ones that actually affects us.

As earlier indicated, the 2020/2021 budget has been adjusted downwards in light of the Covid pandemic effects. However, there is no analysis of how existing program targets have been affected by these expenditure adjustments.

Development or Capital Expenditure 1,759.41Million, estimates of development expenditure have been reduced by Kshs.99.9 Million from the CFSP allocation of 1.859.3Million to the current proposed allocation 1.759.4Million. It is indicated that the estimates was prepared in line with the adopted CFSP which laid emphasis on completion of on-going programmes and projects, agribusiness development, livestock improvement, pasture and fodder development, empowerment of cooperatives through provision of grants toward youth activities and programmes as well as equipping of health facilities. The estimates were also guided by the strategic interventions identified in the draft County budget expenditure review.

The estimates of development or capital expenditure has been spread to cover ward specific projects Kshs. 300Million that is earlier, completion of phased projects 624Million projects financed by conditional grants and loans of Kshs.682Million and flagship or departmental projects of Kshs.151Million which in total account for 28.49% of total County budget.

The ward specific development projects' allocation was reduced by Kshs. 150 Million from Kshs. 450 Million which was approved in the CFSP 2020. The County Executive Member for Finance and Economic Planning attributed his action to the County Budget Expenditure Review (CBER) findings which required financing of on-going projects and outbreak of Corona Virus disease, COVID-19 which affected tourism sector which is a lead source of local revenue in the County.

Funds earmarked for the County Assembly development projects i.e. Chamber's Hansard installations and the residential buildings of Kshs. 81Million factored in the approved CFSP 2020 was removed and flagship or departmental projects of Kshs. 212Million introduced into the estimates.

Ward specific development Projects of Kshs. 300M; Analysis of the list of projects under ward specific development show name of project, implementing department, location, ward, description of works and budget allocation. `Each ward was allocated Kshs. 10Million totalling Kshs. 300 Million.

In Water and Irrigation sub sector, the allocation was Kshs. 98.8Million for pipe work and distribution, drilling and equipping of boreholes, de-silting of pan dams, purchase of water pumps, weir construction, construction of masonry tanks, solar installation, construction of water pans and water harvesting and irrigation.

Previous budget expenditure review reports have indicated that drilling a borehole, equipping and distribution works shall cost at least Kshs. 5M hence projects allocated below that sum shall not be completed. Such projects need to be expunged from the list Mr. Speaker sir. We are happy Mr. Speaker sir that at the moment we have a rig which can help us in drilling water in our County Mr. Speaker sir. This was only our highlight from the budget committee.

In Transport and Infrastructure sub-sector got Kshs. 85.5Million for opening of new access roads, grading and murraming, bulk fuel for machines, culvert works, and construction of footbridges, operation and maintenance of machines. Opening of new access roads increases the total length of road network in the ward but the challenge that the County need to address more is the maintenance of these roads and upgrading some to all-weather roads.

Poor quality of works and inadequate budget allocation has been observed to undermine the County efforts to move people goods and services to and from the market place. I am happy Mr. Speaker sir to note also that most of the Sub- Counties, Members of the County Assembly (MCA, s) have come together to purchase machineries to improve our road network Mr. Speaker sir.

Education and vocational training sector was allocated Kshs. 26.9 Million for construction and equipping of ECDE classrooms, construction of vocational training centres classrooms and sponsorship for overseas scholarship for Masters Degree programmes. Financing of overseas scholarships may not be feasible given that the sponsorship at the Masters level cease to be basic education in Kenya Mr. Speaker sir. Those are luxuries to individuals who want to go for masters, you cannot fund.

Youth, Sports, Gender and Social Services was allocated Kshs. 25.1 Million for women and Persons With Disability (PWD) programme, assorted youth development activities and equipment, women groups projects development, grants for IGAs for youth and women, promotion of talents or sports and poultry, dairy farming, quarry equipment, greenHouses, tree nurseries, drug abuse awareness programme and sports. Some proposed activities may need to be re-directed to sectors and sub-sectors that are best suited to perform them. Relevant line ministry may help the beneficiaries achieve the intended goal.

Health sector was allocated Kshs. 24.2Million for construction of wards or lab rooms, fencing of health facilities, renovations, equipping and opening of health facilities and purchase of land.

Agriculture, Livestock and Fisheries sub-sector was allocated Kshs. 17.25 Million for purchase of seedling of fruits, coffee, macadamia and distribution, subsidized AI services and vaccines, completion of cattle dip, purchase of poultry, dairy goats, sheep, cattle breeds, fish farming and AI Services provision, restocking of livestock, purchase of beehives and provision of pasture seeds.

Lands and Urban Development sub-sector was allocated Kshs.14.1Million for land adjudication, purchase of land for a road, Land Survey, Road Survey, Land Demarcation and beaconing and planning of centres.

Trade, Industrialization and Commerce was allocated Kshs. 4Million for cooperative society development, fencing and construction of market stalls.

Environment, Tourism and Natural Resources sub-sector was allocated 4Million for completion of the conservancy campsite, construction of cottages, offices and landscaping for campsites.

Public participation is under threat. There is no evidence that the input of the public, both from the executive and legislature influences budget decisions.

Issues of concern Mr. Speaker sir; the adopted CFSP 2020 had provided for 450 Million for the ward specific projects.

On Conditional Grants Projects, the estimate of expenditure on the grants is not clearly provided in the programme based budget schedule. Lump sums are shown in the schedules and this is also another way Mr. Speaker sir where the spending of money may not be clear though the donor might actually say how it is supposed to be spent. We need to know from the onset where this grants are suppose to benefit Mr. Speaker sir and what is suppose to do in those areas because conditional grants are meant to do specific things and we should be told where this things should be done.

Issues of concern Mr. Speaker sir; the expenditure on the grants needs to be clarified both in the PBB and the itemized budget. The CECM for Finance and Economic planning need to provide the list of projects funded by these grants or otherwise provide the expenditure framework on the same.

On flagship Projects of Kshs. 212 Million; the estimates of expenditure on the flagship or departmental projects are not clearly provided for as envisioned in the public finance management laws. The generalized figure is Kshs. 212 Million Mr. Speaker sir and the Issues of concern there is expenditure on the flagship or departmental projects needs to be clarified both in the PBB and the itemized budget. The CECM for finance and economic planning need to provide the list of projects planned for financing under flagship.

On Phased Projects of Kshs. 644 Million; the estimate of expenditure on the phased projects is clearly provided with a list of projects provided as per the adopted CFSP 2020. There are 340 projects listed and allocated Kshs. 644.95Million for funding under this category in the estimates and we really passed and we said it will be a first charge Mr. Speaker.

The estimate of expenditure on the rollover projects is not submitted with the estimates to the Assembly. Previous budgets have incorporated these resources to enable the County to continue seamless payments for those projects in the subsequent financial year. Table 4 show the amount of rollover funds in the last four financial years and this year Mr. Speaker sir, it was not provided because we found out in the last financial year Mr. Speaker sir we said the rollover was 2.4 million yet the payments were still going on.

Up to the close of the financial year Mr. Speaker sir it was 1.8 billion. This time round Mr. Speaker sir we said let them continue paying and they give us the exact amount of rollover. So our budget is not inclusive of rollover.

Issues of concern; the expenditure on the rollover funds projects needs to be included in the estimates to fast track on the backlog of projects. The CECM for finance and economic planning need to provide the list of projects that may not be completed and paid in FY 2019/2020. The cash balances therein need to be incorporated in the estimates. To help us prioritize other needs because of the crisis we are in at the moment Mr. Speaker sir.

Finally Mr. Speaker sir, let me come to Sectoral Committee Presentations. I think sectoral committee presentations Mr. Speaker sir, Standing Order 212 (3) and (4) of the Baringo County Assembly Standing Orders provides that upon committal of the Budget Estimates to the

Assembly it is deemed to be committed to the Sectoral Committees who will consider the estimates as per their mandate and present a report to the Budget and Appropriations Committee, who will consider the recommendations of the Sectoral Committees when finalizing their report for consideration in this House.

Mr. Speaker sir, in conforming to the statutory obligations, the BAC held meetings to receive Sectoral Committee presentations on 11th June 2020 and 12th June and thus there is annex 2 in this report that highlights all the presentations were done by Sectoral committees.

I move on to public participation views, Mr. Speaker sir, Article 196 (1) of the Constitution of Kenya 2010, stipulates that a County Assembly shall facilitate public participation and involvement in the Legislative and other business of the Assembly and its Committees. In addition Article 185, and 201 of the Constitution provides for Public participation in matters Finance. Further Section 131(2) of the PFM Act, 2012 as read together with Section 87 of the County Governments Act as well as Standing Orders 212 (5) of the Baringo County Assembly Standing Orders, speaks to the incorporation of the views of the Public when the Budget and Appropriations Committee finalizes its recommendations on the Budget Estimates to the Assembly for approval.

Mr. Speaker sir, It is instructive to report that this year's budget making process coincided with stringent measures to combat COVID 19 Pandemic that is ravaging the Country and indeed the World. This include measures against Social gatherings of more than fifteen persons, cessation of congregations in enclosed spaces, compulsory use of face masks, Social distancing of over one metre in case persons are in interacting amongst other measures. This necessitated a new mind set and innovative ways on how to reach out to the Public.

The County Assembly advertised the receipt of views on the 2020/2021 FY in the Print Media on 28th May 2020, which public participation was to run from the date of notice until 15th June 2020.

Mr. Speaker sir, the County Assembly organized Public participation Fora on the 2020/2021FY Estimates in the six (6) Sub County Headquarters via Zoom, a High Density Cloud Video Conferencing application on 4th June 2020 and 5th June 2020. Due to the meeting protocols by the Ministry of Health to combat the spread of Covid-19, 15 representatives from each Ward were invited.

Mr. Speaker sir, on Thursday 4th June, 2020, the Committee engaged the members of the Public via Zoom public from Eldama Ravine Sub-County at the Eldama - Ravine Sub-County hall, Baringo South Sub-County at the Marigat Farmers hall and Mogotio Sub-County at the Mogotio CDF Offices respectively.

On Friday 5th June, 2020, the Committee engaged the members of the Public via zoom public from Baringo North Sub-County at the Kabartonjo DCC's office, Baringo Central at Kabarnet Full Gospel Church and Tiaty Sub-County at the AIC Chemolingot respectively.

The views of the members of the public are annexed in this report as Annex 3 for perusal for Members and any other interested party Mr. Speaker sir.

The live feed from the Zoom presentations was relayed live via Radio Alpha and WhatsApp groups were formed for each of the thirty (30) Wards where members of the public got a chance

to interact with their ward Projects and give comments that were recorded, analysed and are contained in a report in Annex 4 herewith attached.

I want to thank the office of the Speaker and the Clerk for actually making sure that all this process was done.

Mr. Speaker sir we also received Memoranda and I think the Committee after inviting the members of the public through two leading newspapers of nationwide circulation to present their views and any memorandum on the Budget Estimates, the Committee received several memoranda from different stakeholders.

Mr. Speaker sir, the following groups submitted their memorandum for consideration by the Committee;

- i. Baringo Central PWDs Network and Baringo County PWDs Paralympic
- ii. Community Members-Tangulbei-Korossi and Churo Amaya Wards
- iii. Kabartonjo Ward residents
- iv. Tenges residents on the allocation of abroad Scholarship/Bursary Fund for postgraduate from Tenges residents
- v. Baringo County Civil Society Organizations Forum (BASCOF)
- vi. Ilchamus Ward Community
- vii. Barwessa Ward residents concerning Fast tracking of proposed projects
- viii. Nubian Community
- ix. Mukutani Ward residents
- x. Kisanana Ward residents
- xi. Kabarnet Ward stakeholders

Mr. Speaker sir, the report of the memoranda is annexed in this report as Annex 5;

Committee recommendations Mr. Speaker sir; based on its analysis of the presented 2020/2021FY Budget Estimates, additional documents and comments received from County Treasury, factoring in the views of Sectoral Committees, views received from various Memoranda received, Public participation views and the views of the CECM Finance and Economic Planning, the Committee makes the following recommendations:

1. Mr Speaker sir, that the 2020/2021FY Baringo County Budget Revenue and Expenditure Schedules be as set out thus:

That the Program Based Budget (PBB) be as set out in the First Schedule; and I think the schedule... We have our schedule Mr. Speaker sir on 1st schedule. When you look at...On our first schedule Mr. Speaker sir it is showing a Programme Based Budget (PBB) on financial year 2019/2020 but where we are interested so much is on 2020.

Mr. Speaker sir we have programmes there, the County Assembly has two programmes, there is programme 1 General Administration, Planning and Support Services and then programme 2 Legislative Representation and Oversight Services. This programme 1, has also sub programmes and when you go to Public Administration, Devolution and e-Government we only have four

programmes.

There is General Administration, Planning and Support Services which was given a total of 474,352,009. We have programme 2, Public Participation and Infrastructural Development, 7,033,806. Programme 3 Civic Education Development Services, 1,097, 102 and then programme four, Inter Governmental Relation Services, 7,000,000.

We have the list that goes on and on Mr. Speaker sir until all the departments are catered for on schedule 1 and so therefore the committee is recommending that the PBB be set out as in the first schedule and;

2 . That, the Overall Revenue or Resource Envelope be as set out as in the Second Schedule A. It is very important Mr. Speaker sir that every Member and public should know how much we have. That is our resource envelop. That is in Second schedule, budget estimates for the year ending 2020/2021, that includes equitable share from the National Government of 5.88 Billion and then we also have the conditional grant that run down. We have our local revenue also and this one has given us a total of Kshs 6,176, 254,057. That is the resource that today we are dealing with Mr. Speaker sir.

3. That, the Local Revenue streams be as set out in the Second Schedule B; Because Mr. Speaker sir how do we attain the 296 Million as our local revenue though it has come down from 393 Million? This is our targets and these are the revenue sources. The game parks fees, we are suppose to get 30 Million, Animal stock sale, 6 Million, produce and sales 21 Million, Single Business Permit 32 Million. Plot and Rent 39 Million, Market fees and others 26 Million, Koibatek ATC 1 million. Marigat AMS 1Million, Public Health 4 Million, Vetinary 9 Million, Hospital Revenue Fee, FIF 124 Million, giving us a total of 296 Million. Mr. Speaker sir;

4. That, the Recurrent Expenditure Summary be as set out in the Third Schedule. We also have our Third schedule which gives us how the recurrent expenditure. Detailed Recurrent Expenditure Summary for financial year 2020/2021. It is showing how the 4.272 Million is going to be spent so the wages and salaries plus the O&M and then Mr. Speaker sir we also have

5. That, the Fourth Schedule form the Development Expenditure Summary, because that is where all of us are so much interested on the development expenditure, that is on Fourth schedule. That is where we have all the development projects undertaken including the Assembly, we also have a project here and then,

6. That the Detailed Overall Budget Summary be as set out in the Fifth Schedule. We also have the Fifth Schedule where we have the summary of the entire budget summary. We have the salaries, the total of salaries 3.3 Billion, Operation and Maintenance (O&M) 887 Million. Total Recurrent Expenditure is 4.27 Billion and then Development Expenditure is 1.9 03 Billion, Totalling to 6.176 Billion. That is the Overall expenditure and then;

7. That, the Overall Budget Summary be as set out in the Sixth Schedule. That is just a summary where we have Assembly and it is getting a total of 711, 175,611. We have the Governor's office, 489 Million, County Finance and Economic Planning 322 Million. This one Mr. Speaker sir includes the salaries and wages. We have the Roads, Transport, Energy and Public Works. We have the list and which actually the summary is totalling to 6.176 Billion and then Mr. Speaker sir;

8. That the Road Maintenance Levy Fund (RMLF) Road Projects be as set out in the Seventh Schedule. We have a schedule Mr. Speaker sir and what is in our documents has an

error but we have provided a leaf that summarises and gives us a total. So each and every ward is going to get at least 5 Million for RMLF and the total of that conditional grant is 152, 813.

9. That the schedules contained herein First (1st) to Seventh (7th) Schedule be approved as part of the 2020/2021FY Budget Estimates.

10. That the County Government in consultation with all the relevant stakeholders develop a Post Covid 19 Economy Recovery Strategy for the County to mitigate the Economic impact of the Closing down of several Sectors in the County. This is a recommendation Mr. Speaker sir which we really appeal to the executive to take into consideration because they have not given us a road map on economic recovery due to COVID-19 pandemic.

11. That the remainder of the projects amounting to Kshs 333,193,612 which were slashed during the making of the 1st Supplementary Budget 2019/2020FY to cater for the Over commitment and COVID 19 intervention be reinstated to the 2021/2022FY Budget as Phased Projects carried Forward from the 2019/2020FY in the Annual Development Plan (ADP) 2021/2022FY;

12. The following Departments should develop and submit to the Assembly for approval Policy regulations on distribution of inputs and economic stimulus packages for various vulnerable groups;

Department of Agriculture, Livestock and Fisheries. Mr. Speaker sir how they distribute farm inputs is questionable because we cannot account.

(Applause)

You will find that maybe they have taken fingerlings to a certain farmer and we cannot account whether what was budgeted for is actually what went to the farmers.

Department of Youth and Sports, also the same because they budget money but we may not see them moving or giving equitable kind of treatment to all the wards or Sub- Counties.

Department of Trade, Industrialization and Cooperatives.

Department of Environmental Protection, Mining, Wildlife Management and Tourism.

13. That, the County Treasury shall provide the list of roll-over and phased projects and therein capture the name of the project, initial allocation financial year, status, reasons for roll over or phasing, amounts required to complete the project and why the project is still a priority during the submission of the first supplementary 2020/2021 FY. This one we are very serious Mr. Speaker sir because there are projects that were budgeted for way back in 2015/2016 financial year. They find its way up to this particular time of 2020/2021 and we really question ourselves, what is the executive doing? So our recommendations must actually make them adhere to what we want.

14. That, the CECM for Finance and Economic Planning should provide a report on the fiscal responsibility deviation on County wage bill, giving the reasons for the deviation, its implication, proposals to address the deviation and the time the deviation is estimated to last. This report shall always be submitted to the County Assembly together with the estimates of revenue and expenditure. Mr. Speaker sir 54.4% of the wages instead of 35%. We should have a road map, how shall we downscale this ballooning wage bill. We should know actually where

the rain started beating us, so that we don't only pay salaries and reduce the development expenditure.

15. That, the CECM for Health Services should continue providing leadership on the containment of the COVID-19 pandemic. That Health workers who are frontline care givers are enablers of the County Health Systems and instrumental in entrenching curative, promotive and preventive health care programmes be facilitated with PPE's and other necessary requirements. We want the CECM is actually doing good job Mr. Speaker sir but we need them to upscale and make sure our health workers are well protected and they should provide the PPE,s.

16. That, the CECM for Finance and Economic Planning shall submit the supporting documents alongside the Estimates of revenue and expenditure and thereof comply with Section 130 of the PFM Act, 2012. A check list of items shall be used by the County Assembly when receiving the budgets as approved by the County Executive committee:

- i. An Annual Appropriation Bill containing the expenditure appropriations which shall be prepared in a form that is accurate, precise, informative and clearly identifies the appropriations by vote and programme;
- ii. A programme based budget version;
- iii. A budget summary that includes: budget policies, explanation on how the budget relates to the fiscal responsibility principles and memorandum on how the resolutions of the House on the budget estimates have been taken into account;
- iv. A budget estimates that includes: list of County entities that receive appropriated funds, estimates of revenue allocation from National Government including conditional and unconditional grants, all other estimated revenue by broad economic classification, all estimated expenditure by vote and programme identifying both recurrent and development and information regarding loans, if applicable.
- v. A statement or Memorandum by the CECM for Finance and Economic Planning specifying the measures taken to implement any recommendations made by the County Assembly in respect to the budget for the previous financial year.

17. That the CECM for Finance and Economic Planning ring fences the Conditional grants contained in the Budget Estimates 2020/2021FY and presents to the Budget and Appropriations Committee the following:

- i. Memorandum of Understanding (MoU) entered into;
- ii. Implementation guidelines on the Conditional Grants
- iii. Work plans and timelines for each Conditional Grant

The above documents should be availed to the Committee, before the tabling of the first (1st) Supplementary Budget of 2020/2021FY that is tentatively set for August 2020. On this one, there should be a follow up to make sure the treasury actually put into account our recommendations.

18. That, the CECM for County Treasury should comply with section 136 of the PFM Act, therein ensure that the lapsed appropriations ceases to authorize payments. The unspent balances for the 2019/2020 FY should be regularized in the first supplementary for the 2020/2021 FY that is tentatively set for August 2020.

19. That, the Ward Projects be enhanced by Kshs 4 Million from Kshs 10 Million to Kshs 14 Million per Ward.

Further the RMLF roads be equitably distributed at Kshs 5,000,000 per Ward making the total of the Ward Development Expenditure to be at Kshs 19 Million per Ward in the 2020/2021FY.

(Applause)

In Conclusion Mr. Speaker sir, that pursuant to the provisions of Article 220 and 224 of the Constitution of Kenya 2010 and Sections 129, 130 and 131 of the PFM Act, 2012 as read together with Standing Order 212 of the Baringo County Assembly Standing Orders this House resolves:-

1. To approve the Report of the Budget and Appropriations Committee on the Baringo County Government Estimates of Revenue and Expenditure for the year 2020/2021 FY laid on the Table of the House on the afternoon of Thursday the 21st day of May 2020;
2. To approve the issuance of a sum of Kshs 6,176,254,057 from the County Revenue Fund (CRF) to meet the Expenditure during the Financial Year ending 30th June 2021 in respect of the votes as contained in the First (1st) Schedule.

In conclusion therefore Mr. Speaker sir, on behalf of the Budget and Appropriations Committee, I request this Honourable House to approve this report to enable the presentation and approval of the Baringo County Appropriation Bill 2020 by the Assembly on or before the Statutory 30th day of June 2020 to enable a smooth transition of service delivery and Development to the 2020/2021 Financial Year, Mr. Speaker sir, I beg to move and request my Vice Chair Hon. Kibarar to second, thank you so much Mr. Speaker sir.

(Applause)

Hon. Kibarar: Thank you Mr. Speaker sir, I stand to second the report read by able Chairman. The report was dealt with wisely by the Committee and now have been read for you. Most of the funds in this report and other estimates have been highlighted well all including developments and recurrent. We took a lot of time when we were writing this report and took considerations of sectoral Committees, the public and the CEC of Finance who all presented their reports. We were also able to sort over commitments to make sure that this budget is for the betterment of Baringo people.

This budget is thorough and it will stay with us. We looked at the Assembly, County Government, all sectors including service board and it is inclusive in this budget. We were able to solve issues that arose in the previous budgets on over commitments. We also took into considerations the challenges of Covid-19, our local revenue going down but we still managed to come up with this in the budget.

Members you will get all information you need to understand this budget. Let us pass this budget and good things will come for our people of Baringo. Thank you, Mr. Speaker.

The Speaker (Hon. Kiplagat): Thank you Chair and Vice Chair budget of Budget Committee. The Motion having been moved and seconded, I propose the question.

(Question Proposed)

Members' debate is on. Let us maintain the 1.5 meter social distancing from each other and the sergeant at arms to ensure that is adhered to. In case the House is overcrowded; you may need members to remain outside and come in turns. Hon. Selemoi.

Hon. Selemoi: Thank you very much Mr. Speaker sir, for allowing me to put my input on this motion of budget 2020/21. This Hon. House is indebted to such activity every financial year and we have diligently been so faithful to this process for the previous we have been in this House.

I congratulate the Budget and Appropriation Committee led by Hon. John Aengwo and his Committee.

(Applause)

For the good work they have executed as the role we are indebted through the Committee. Mr. Speaker for the first time we have had to be given copies of this document in good time. I received a copy last week from my colleague Hon. Mailuk and I was able to interrogate including the people of Churo Amaya Ward who had time to go through it; congratulations Committee

(Applause)

Mr. Speaker I have gone through the document and seen the level of input by the Committee, Sectoral Committees and even member of the public in as much as public participation of this document is concerned; that is commendable.

Mr. Speaker the first time we came to this Assembly; our term in office, we found 2017/18 budget which the other Assembly had interrogated but we got our oversight into it and the County Government executed it so to the subsequent budgetary that were presented to us...

The Speaker (Hon. Kiplagat): Order Hon. Selemoi we wish to put your mask well noting that the microphone is shared.

Hon. Selemoi: I thought it is sanitized but it is okay Mr. Speaker and thank you for your guidance. Mr. Speaker 2019/20 and 2020 /21 is our budget but we were faced by the other one 2021/22 which we will put our input but for those who will come back shall oversight and execute it; for those who will not, others will come and do it.

Mr. Speaker, it has been our tradition to scrutinize this budget, appropriate and pass or disapprove them. Mr. Speaker there are some other glaring discrepancies that I have noticed from the previous budgets including this one.

The paper that was laid here on 20th May 2020 by the Leader of Majority from the Executive and the CECM is completely different from what we have today which means some sections of it was either edited, expunged or corrected which is good. In page 17 majority of the faced projects are from Tiaty Sub County and few from other Sub Counties. The one included is Kachelitwa and Yemit borehole from my ward. I thank the Committee for noticing that and correcting that anomaly.

The other discrepancy I want the public and this House to know is when the public participation was done by the Executive, the figure was Kshs. 25 Million but here we have Kshs. 10 Million and the Committee scaled it to Kshs. 14 Million which was supposed to be Kshs. 15 Million but another 1 Million was deducted to cater for affairs and maintenance of the rig. These are some of

the discrepancies the members of public must be notified because...I have a difficulty using this mask it is suffocating...and these are the masks that were made by one of our VTC...

Mr. Speaker when we have such discrepancies, the one the public budgeted for was Kshs. 25 Million but what we shall take to them is different and that is where misinformation arises. They may say that members of County Assembly deducted funds for other ulterior motives which is not good. We need to clarify that the funds that were subjected to public participation was Kshs. 25 Million but because you were listening through other forums, the Executive of this County has budgeted for Kshs. 14 Million and MCAs are not party to the reduction; the public must know that.

(Applause)

Mr. Speaker the funds we allocated for Covid-19 response purposes we need prudence, accountability and use of it. We channeled development to that response and if it is not working for the intended purpose, let it be re channeled back to development. The Chair has been crippling with frustrations; the revenue collection has been dwindling it has been reducing for over many years because we have suspicion that it is through corrupt channels Mr. Speaker. Our revenue collection methods are not water tight but we need to upscale to automated and include the one Laikipia County is using and Hon. Kimosop know that when you visit Laikipia County Government, you pay through Paybill only. These are the pilferages we should absorb so that we do not cry that our revenue is dwindling down now and then.

As stated by the able Budget and Appropriation Committee Chair, we are not doing well in numbers in this budget because we have recurrent expenditure at 72%, salaries 54% as stated means we are doing badly. Delivery of service to mwananchi is going down because development expenditure is below 20% which dangerous for us legislators because we approve this budget.

A matter of concern is we need to up our game and I have gone through this document and realize that His Excellency the Governor has allocated some flagship funds which in turn do not help the people of Baringo other than it is conduit for corruption, delay and frustrations of our sub counties. Tiaty last time had been allocated a rig of Kshs. 50 Million then the Governor added another Kshs. 10 Million to be Kshs 60 Million. Public participation was done in Chemolingot and they said they wanted a rig but its launching was done in his residence and now it is no longer a Tiaty flagship program yet other sub counties had their priority of flagship projects.

That is thievery and shortchanging that we do not want. Ward wide projects should be named item by item for example Ravine, Mogotio projects because they are not serving us anymore. Mr. Speaker those are the frustrations we undergo some sub counties are considered more by the Governor.

To conclude, there are flagship programs that are avenues to loot and grab for example Chemususu last mile has been here with us for long because money is always allocated without its completion. Another one is Maoi abattoir, cotton ginnery is Salawa and now the Covid-19 emergency response. These are the avenues the Governor and his office have been using to deny the raising of other projects. There are other cancerous projects we need to avoid in the future. Mr. Speaker, like routine maintenance for Kamasaba road works , rehabilitation of Saimo Kipsaraman roads, maintenance of Kobatek ward roads, mainantnace of IltiKapsoit roads,

Korkowonin-Nubian village; these allocations are dubious. These projects are given money and then scooped and transferred to pay allowance, per diems and imprest for the Executive especially the Governor.

We cannot allow ourselves to oversee such grafts and misappropriation of funds. We have Covid tanks we do know not whether they are in his residence or his office but tanks are lying idle. Am also told that relief food bought by Corona funds are lying in his office. Also I am told PPEs are lying there.

Mr. Speaker the people of Baringo should raid his office or his residence to get that food because we are hungry but why are they laying here. Mr. Speaker the only successful story in this budget Mr. Speaker is the Ward development fund the Kshs. 14 million the rest are auk wash, and just semantics and paper work.

So Mr. Speaker in future we should re-allocate funds to Ward Development Funds because that is the only successful story to the people of Baringo albeit the declining nature of this fund. Finally, Mr. Speaker Hon. Chair there are some typographical areas especially from my Ward I have notified you they are editorial and typographical areas especially...

I gave you when we were making amendments and for RLMF and the development expenditure. So Mr. Speaker we have the obligation to the people of Baringo and that is the core mandate we have and if we do not deliver then time will not be on our side and in future the voters will kick us out and before we are kicked out these are some of the corrections we need to make and ensure that our Committee through our Budget and Appropriations Committee and not meant to be powerless and joyriders in the budget process.

Mr. Speaker I want to submit that despite all the anomalies our representatives in the budget through the budget Committee should make the correction that will benefit us and our Wards. Thank you.

The Speaker (Hon. Kiplagat): Yes Hon. Member for Sacho.

Hon. Tarus: Thank you Mr. Speaker. I support this motion and wish to commend the Chair Budget and Appropriations Committee with the entire Committee and the secretariat for the work well done.

Mr. Speaker this Committee has sacrificed a lot and of course with the facilitation from your office and that of the Clerk they have done a commendable job and we need to support and pass this motion.

Secondly, Mr. Speaker we need to ensure that this House follows up with the recommendations, this Committee has made very good recommendations. We need to follow it up so that they are implemented fully to enhance or to ensure that the people of Baringo gets benefits from these budgets that we are making.

It will be futile for us to make very good recommendations, make very good budgets and at the end of the day they are not implemented as recommended by the Committee. Mr. Speaker there are provisions which the Chair has alluded to that have not been adhered to especially the timelines by the Executive.

That is the bridge of the provisions of the PFM ACT on timelines. I believe the Chair should ensure that the Executive especially the CEC Member for economic planning should ensure that these things are done on time.

I also commend the Committee because they gave us this document in good time and we were able to go through it and interrogate it page by page so that at least we can make our own recommendations.

Mr. Speaker the issue of conditional grand and the RLMF that should be rein fenced as it has been suggested and this area is a grey area where the Executive has been doing what we call wanton removal of funds to fund recurrent expenditures yet this is meant for development.

So Mr. Speaker I commend the Committee for recommending that this money should be rein fenced so that they are not removed. Mr. Speaker the Ward development funds from my Ward that is the only money that is serving the Mwananchi, that is the only money that is being felt on the ground and I would wish that the Committee should continuously enhance this money that is meant for the ward development fund.

This is because what normally happens Mr. Speaker is we pass the budget here for what we call flagship projects and as it has been alluded by the Hon. Selemoi the MCA for Churo/Amaya this money is either removed or it serves just a few Sub-Counties, and it is quite unfortunate because these money is not serving the entire County.

So it should be distributed equally to all the Wards and if the Wards could want a flagship project then they can just lamp up all the money and put in one project which will serve the community's interest.

Mr. Speaker, I beg to support and request Members to pass this budget as it has been brought as it is by the budget Committee. Thank you Mr. Speaker.

The Speaker (Hon. Kiplagat): Yes Hon. Bowen.

Hon. Bowen: Thank you very much Mr. Speaker. I stand support the motion because it will be able to assist the people of Baringo in some areas and others will go the way Hon. Selemoi has said, it is true not all of them will reach the common man.

Mr. Speaker in future I want to ask the Chairman to cut the budget and base on the following areas, the first one is recurrent expenditure. I support recurrent expenditure I have been in the field for so many years from the time this Country achieved independence, projects have been there, projects year in year out and people are eating money.

Mr. Speaker when we talk about recurrent expenditure I believe most of the money will go to human resource, our children, I heard one of the Hon. Member I do not know... that the human resource or recurrent expenditure should be deducted so that we get money for projects so that you go and eat it is not the projects that reach the areas or the Wards is true it is from the Ward fund it is true but it is peanut it will not be felt and you will go home Hon. Members if you do not know, nobody knows that you have even brought that project worthy Kshs. 5 million because is not even felt by the community. I want you Hon. Members in this House to accept that you will be felt.

If you go to health department where we have the district hospital, the referral the health centers where people go there they will ask themselves who brought this, who brought that, and they will say it is Hon. so and so and you will be felt there.

This is because people will be in dispensaries all over, in the Agriculture Livestock and Fisheries our people are suffering now, people are living on relief food ...

(Technical itch)

somebody was talking in Kerio Valley there is no money that has been allocated everywhere people normally do their peasant farming, there is no subsidiary health from the County because there is very poor plan, we should be giving more than 10% to Agriculture, Livestock is what this County services on or the funds that we receive.

I am sorry to say that I went through... extension officers are not there and we are talking about vehicles and we are talking about flagship projects those which do not benefit the common man. I believe that currently our electorates are suffering because there is no food.

Hon. Members have turned their minds to other things that may not benefit the common man and it is the same common man who will ask you. I was hungry but you did not feed me why do you want our vote, it is unless you have decided to go home straight away.

(Laughter)

Roads are acceptable, when we have roads it will open different types of development, businesses this is very good I want you to increase money for the roads so that we have roads that will make the villages accessible.

When someone is sick at night he or she will be able to reach the center he will also be able to reach the dispensary and he will be helped, so roads will really help us. On education, in fact currently it is almost becoming the tail because while you are reducing the recurrent expenditure, employment of children then what is the point of you taking the children to school, what is the point of you taking your children to University.

Let them go to farming, it is not necessary to have a degree which will not help anything in the society, I want to say that let us continue with this education because the first children have gone to school but still we must look for ways of trying to absorb them.

Hon. Members if you have got Kshs. 14 million give Kshs. 4 million to young people if you want to come back to the County Assembly in 2022 but if you say water, water is very important. I have it here water is very important because without water we shall not really do much.

Treasury, a lot of money should go to the treasury so that we have many revenue clerks everywhere to get money to Baringo County so that we shall be able to try and divide that money to various Sub-Counties and Sub-Wards and the remaining ones will be others.

The rest will be others when you know that our people have been reached otherwise Mr. Speaker sir there is nothing that has been felt in Baringo I was a Counselor I build a lot of schools but I was sent home you will follow me...

(Laughter)

If you want to succeed try to do something that benefits many, Hon. Members you think I am dreaming but I know what I am saying, thank you so much Mr. Speaker sir, so that others will follow me please let us improve on Agriculture. Thank you.

The Speaker (Hon. Kiplagat): Yes Hon. Rono.

Hon. Rono: Thank you Mr. Speaker. I must commend the job well done by the Committee for the first time Mr. Speaker, because I could not just dwell on the recommendations I just want to

appreciate but if the recommendations could have some timelines for its implementation. I think we would not be lamenting the way we are now.

Mr. Speaker if the recommendations that we have been given by the Committee will be implemented I think we will avoid a lot of questions, Mr. Speaker I want to tell Hon. Bowen that we are not here permanently so that... Leadership is about succession we are doing ours and the people of Baringo will decide whether to reelect us or not but that is not our worry.

We need to render our services to the people of Baringo, so Hon. Members we should not be scared because our role is just to render the services to the people of Baringo. Secondly we should not occupy our minds that we need to come back to this House it will derail our services to the people of Baringo.

But for now is that our service is that we are on the seat and we have to deliver the rest we leave to God so nobody here should worry. Hon. Speaker I just want to remind the Chair, over the weekend I was watching television and it is like we are added up something like 450 from the CRA I think we should clarify later and if that will just come to us we need to enhance our Ward fund money Mr. Speaker, because from the Speakers who have left or the Hon. Members they are saying that the money which is left quickly or which is seen is the Ward fund Mr. Speaker.

Mr. Speaker we must tell our people that the Government is an enabler but not a real provider so if you are going to our Wards and tell our communities that they should wait for the Government to feed them we are very sorry.

A Government has little resources which is needed to enable a good environment for mwananchi. Mr. Speaker, when we say our people are dying of hunger, no Government will feed its people a hundred percent.

We are just but enablers and Mr. Speaker Baringo County is one of the educated County that if you say you want to give some type of seed today they have planted several types of seeds you might not even need... they are much a head.

Mr. Speaker what we need to do is just to give guidance and provide man power to push the agendas forward Hon. Speaker. Mr. Speaker I am commending the Committee for the first time, I have highlighted issues which have been lingering our minds and which have raised questions in our minds.

We have been seeing distribution of fingerlings, how can I count some fingerlings which have been put in a dam in my Ward, how can I justify that this is equivalent to the amount which was used to procure Mr. Speaker.

Mr. Speaker some of these things... and let me tell you that we need to work on a document which if you are taken to account you need to account for it. Mr. Speaker so much in terms of money has been going to Agriculture but with very poor equity distribution to say the truth.

Mr. Speaker, it is high time and I really appreciate the Committee that they have identified particular departments which have not been serving the County of Baringo equitably. Mr. Speaker if you talk of macadamia, fingerlings, coffee are these things grown in Tiaty for example so if you give fingerlings or macadamia to the highland remember to give goats, sheep and of course cows to the dry sides...

(Applause)

So that Hon. Speaker we develop the County equally, Mr. Speaker you must know that the highlands have been benefiting since independence from coffee, tea and AI services. I have not seen AI in my Ward and the highlands of this County are well educated because they have been benefiting from the successive Governments all along.

Mr. Speaker they even have tarmac roads but when you go to the lowlands we are still struggling to get the basics needs, so it is high time that allocations goes to the lowland community where they have not been getting the cake so that we achieve equity.

Mr. Speaker it is hypocrisy to say we are distributing equally, we are never equal. I know even when women are cooking in the House they know the ratio of food in the family cannot be equal depending on the age of children and other things are considered.

Mr. Speaker it is high time that even the Budget Committee and the Executive should know that we have some Wards which are less developed than others and it is high time we protect them because they are human beings who are living there Mr. Speaker.

Mr. Speaker, we really appreciate what the Committee has done today and our appreciation will be futile if the recommendations will not be realized, so the Committee on implementation ensure that these recommendations are followed to the later and we will not have any questions but we will appreciate what they have been doing Mr. Speaker so that the work of the Legislature and the oversight role will be felt in this County.

Otherwise Mr. Speaker, we will be left lamenting every other time and we will look like we are unable to do anything Hon. Speaker. Mr. Speaker when the Chairman will be concluding he needs to give us the timelines on the recommendations and actually need to be reporting to us whether there is anything going on or not and we will have achieved as the legislature, the oversight and the representation of this County Mr. Speaker. I support the motion. Thank you.

The Speaker (Hon. Kiplagat): Hon. Members I can see quite a number of you want to contribute but if we can see on our watches we only have 20 minutes to go so I will urge Members to be very brief I will give each Member 2 minutes and if you proceed like that I am going to limit.

So I will start with the Member for Ravine and make it brief, proceed.

Hon. Ngotie: Thank you Mr. Speaker. I congratulate the Committee on Budget with the secretariat. Mr. Speaker for the first time there was a lot of consultation in this budget, whenever the Budget Committee came across something which was not clear to them they consulted us.

For the first time, I think we are going to pass this budget without any hitch. Mr. Speaker sir we are told that there is a drop in local revenue and we need to find ways on how to collect more revenue.

Mr. Speaker there are areas which we need to upscale like collecting rates and rent in Ravine Ward for example there are a lot of plots which we do not collect rates and rent this is because they have not been given numbers and I would urge the department of lands and urban development that they move with speed so that those plots can be given numbers and the owners can start paying rates and rent. And in this way we are going to get more revenue.

Mr. Speaker also to improve markets so that we can get proper revenue and also I agree with Hon. Selemoi that there are a lot of loopholes in the collection of revenue in our County and this includes even in hospitals and other areas.

We need to tighten those areas and get a proper way of collecting revenue. Mr. Speaker we are told in this report that the amount needed for a borehole to be operational is Kshs. 5 million we also need to be told that the subsidized amount to be paid for the rig will be how much since the other one is 5 million, so we are either looking at 1.5 million or 3 million. I think it should be clear also so that next time we are going back to the wards we can actually guide our people on how much they can allocate to drill a borehole then we can use the rig for the County.

The leasing of equipment which we allocated 132 million if I am not wrong, I think the Health Committee should come up and tell us in detail about these machines whether it is worth this payment and whether the all machines are operational and what are these machines because 132 is not a small figure.

The Speaker (Hon. Kiplagat): Your two minutes are over.

Ho. Ngotie: Okay let me wind up. On page 14 there are things that we need to scale down. I have seen that there is an allocation of 10 million for putting up 4 billboards. We want to know if we need these things are this time of Covid-19. Installation of LED screen in Kabarnet town worth 10 million. I think going forward we should see some things which we need at the moment and others which we can scale down. Because of time let me follow the rules and stop there. I support this motion.

The Speaker (Hon. Kiplagat): Thank you very much. Member of Mochongoi.

Hon. Kimosop: Thank you Mr Speaker, now that we have two minutes I had and extensive preparation for this but I will try my best to be as brief as I ca. I want to salute the Committee for the work they did despite the fact that this was a difficult time, the Covid season and panic was all over the place but they tried their best to ensure that this budget is where we are now. I have a few observations that I need to mention quickly, number one is on public participation, this time unlike previously we didn't go directly to the people but we did public participation on the online platform. In Baringo South for example myself and Hon Lemlem the MCA Marigat Ward, we joined the public in Baringo South Sub County and it was fantastic seeing our colleagues on the other end addressing us and addressing them and our people were there. It was wonderful work but my recommendation is we need to anchor this as Chair of Delegated Legislation we need to anchor this online public participation processes on a regulation so that if anyone challenges what we have done whether indeed it was public participation or not it should not look like we did not participate. The Ward Sub groups that we had, the one for my Ward for example, I learnt very late that there was a Whatsapp group that the secretariat had created and deliberations were going on there and there was no regulation of who joins and who doesn't join so you would even find people from other parts of the world and the County participation in other wards processes and they didn't know what was going on. Probably that is an improvement it was a good idea from the office of the Clerk but it is something that we need to improve on.

Number two, without going into specifics when you read this report you see a CEC who has a challenge or who has deliberately refused to comply with the law, procedure, processes and timelines. Throughout you could see things like he didn't submit these documents, there is a whole list of documents that he didn't submit and at some point there was no explanation why he was supposed to table this at this point and there was no explanation. In fact I listened to the Chair when he was making presentations struggling to justify that you know we are in Covid-19 time and then after that he goes further to read that the CEC didn't provide a reason and he had already provided a reason as the Chairman. I would want the Chair to respond exactly in his

admission he said that the CEC is not reading our recommendations as an Assembly and their own Committee they had made various recommendations and the CEC is adamant to present those recommendations.

I would say this as elected members, we were put in trouble by the treasury when they brought what was supposed to be the presentations from the public. When they brought to us there were a lot of discrepancies and the public were wondering whether we had actually changed because for the public sometimes they don't know the difference between the treasury and us in the Assembly...

There are various recommendations but what caught my attention was despite the CEC having made all these discrepancies here was no radical recommendations on what should be done on the CEC. The Committee was a bit lenient on the CEC I don't know why. We have very soft recommendations compared to the body report that is extremely radical. On wage bill, I think this is a conversation the people of Baringo needs to have and this is very sensitive. The people off Baringo are pushing us to ensure that young people are employed. In fact we are being judged on whether by the time we leave here we would have placed people on the payroll because the previous councilors placed people on the payroll and that is the pressure we have even to the Governor. So even as we put this recommendation that we want the CEC to tell us what we are doing on ensuring that we are complying with the wage bill the truth of the matter is that we must have a conversation on exactly how we are going to handle unemployment in Baringo.

Finally is on implementation. We passed a budget last year which is not yet fully implemented, we have not seen how the rollover is, the treasury never provided us with that but the truth of the matter we are very poor when it comes to implementation and I think that is a task that the Committee has to ensure that as we pass this we push for proper implementation. I would have said more but because of time I will stop here, thank you Mr Speaker.

The Speaker (Hon. Kiplagat): Thank you very much members you should appreciate the issue of time. I want to give two on this side and two on my right then we go to the mover. So I will start with the member of Kabarnet thereafter member of Kabartonjo and by then I will have finished the left then I come to member of Silale and then deputy leader of majority and then we finish.

Hon. Kibet: Thank you Mr Speaker, I want to appreciate this opportunity. I would have loved this microphone to be on the other side so that I can face Government but for the interest of time I will be on this other side. First and foremost I want to appreciate the Committee and the able Chair. This Chairman for quite some time he has been a very truthful man and you could see him expressing and even detailing the frustrations that he is facing in the process of making this budget to be a budget of the people of Baringo. We all appreciate that we are not all in the know of everything but this Chairman we can reliably say that this Assembly has confidence in him. As he was presenting and I want to agree with my colleague Hon Kimosop that we thought the Chairman would say that he was going to reprimand the CEC because of all these stories that he did not do somethings, he was not providing this. Let me also appreciate the support the Clerk and your office is giving to the Committee is commendable. I also want to appreciate the members of the fourth estate as I was sitting there we could hear the live feeds and I think this is good and new; want to appreciate them so that the people of Baringo can get to know what their members are all into when they are doing the budget making process.

Mr Speaker, I want to distance myself from the sentiments of our elder member Hon Bowen. He was here and was like reading an obituary for members and I think we are here first and foremost anointed by God and our people gave us the opportunity. We are here just fully employed to work. We are not here to carry butterflies. Why should you worry about election when you are in mid-term. I think that will be the most hopeless perspective to show the people of Baringo. I don't blame the member; you know he is a nominated member so he really doesn't know ... he is just positioning politics. Us here we were elected no matter the parties.

Mr Speaker my point, I will be very categorical that on revenue if we read and I want to ask the Chairman as he rise to respond to our sentiments that I have read petitions from various stakeholders and one that has really summarized is the one for Baringo Civil societies and they are been very detailed and if you look at it they even touch on a critical issue about the valuation role that is what brings about the issues to do with revenue rates, the land rates and I don't know why I haven't seen anywhere that they were able to capture and even allocate money or even on those recommendations. My people of Kabarnet Ward even made a petition that the money allocated to these projects like drilling equipping and piping and you are allocating 2 million and we all know that is not possible but what is the role of the budget Committee, what is the role of the Executive, they should be able to filter and get to give us the right direction.

Mr Speaker, we are really in the interest of time but you will agree with me that I took my time to correct some issues so allow me to mention something about flagship. This County we have been talking about flagship but because the flagship component was never subjected to the public participation and that is why we are seeing success in ward projects because they are subjected to public participation, it is high time we subject the flagship projects to public participation. What is wrong with that and it is the public projects for the same people. What is wrong with saying we need a project for Tiaty, Baringo North and Baringo Central. Mr Speaker, that will kill the perspective that my Hon member talked about all the projects having the name Ravine, Mogotio in that order. So we would want to see the flagship projects being distributed fairly to all corners of Baringo County.

Mr Speaker the other issue that has come up and we would really want to talk about is what have we done? We have not seen an attempt to address this Covid menace because it has taken our economy down and we have not seen even a budgetary allocation as stimulus package for the small enterprise business owners. We know our businesses are closed, they are enduring a very serious situation so we really want, I think in the next supplementary budget I would encourage that we chip in to really bring our people to the same level they were because if the people of Baringo will suffer, lose their livelihoods then who are we going to lead. We need to have a healthy population in the coming for the next election.

I want to wind up by saying something about the drilling rig. I really want to see the specific budget because it is a huge flagship project and if we don't have an allocation I have the experience that drilling rig consumes 800 litres of fuel per day. We are not seeing that in this, we are not seeing the manpower employed people for the same purpose. As my colleague has put it, we need a regulation for all this, even this rig so that we can operate. Anything that we do we must have a regulation. Thank you I support this motion.

The Speaker (Hon. Kiplagat): The way I had ordered member of Kabartonjo and please just go straight to what has not been said.

Hon. Kipchew: Thank you very much Mr Speaker for giving me this opportunity. First, I want to appreciate and thank the Budget Committee for bringing this document and also giving to us in good time. Mr Speaker I want to say something small. On the same is the issue of delayed projects, from the time that we have been around we realized that it seems this delayed projects are done purposely because at one point project can take a very long time and eventually it can be put in supplementary budget unless the members of those wards follow up on the project. These projects should have timelines so that we see the CECs who are sleeping on the job and they are denying services to the people of Baringo County.

Secondly is the distribution of resources, it looks like from the way we have been looking in this budget there is no equal distribution to the whole County and if possible flagship project should be directed to Wards. Another issue is the Covid-19, we allocated 200 million to this Covid-19 and it was initially an emergency but from the look of things this was money which was supposed to have been budgeted and we would still continue year in year out because the money is there, people have not been educated on how to protect themselves, they are only depending on the advises and the teachings from the Ministry of Health but we ourselves we have not done it to our people.

There are some people who we know very well that they are not able to buy food and we have given out money and if we cannot buy food then this money can be reverted to the projects and we continue with our normal projects and depend on our God. Otherwise there has been a lot of unequal distribution of resources in this County. It is high time that this House should come out strongly and the Committee should come out with a very strong recommendation that equal distribution of resources in this country should be directed and be done so that our people will feel what we are doing in this House. Otherwise I want to rest my case there and what it has been said, an example of that you realize that most of the counties, sub counties are buying machines but as opposed initially the County Government were buying them but because of the frustrations that the people are getting from the department that is why they have decided to collapse their projects and buy machines. That is a clear indication that there is a lot of frustration and therefore it is high time that we look at equal distribution of resources to all people in this country Thank you I support the motion.

The Speaker (Hon. Kiplagat): Thank you very much if you look at your watch I think we are almost one o'clock and because there is this important business going on, I will exercise my discretion as the Speaker under Standing Order 29 (2) to interrupt the business that is under consideration and proceed from the next few minutes so that we can finalize this matter, Member for Silale

Hon. Lotela: Mr Speaker, I stand to support this motion and highlight some very key issues that I saw the Chairman was struggling to mention. Mr Speaker the House has to be put to notice that it is a bit surprising when a document is tabled in this House it becomes the property of the House. But I was shocked and surprised at how the Executive can table two documents in the same House and the Committee should have taken a serious action

The last thing to the Executive but because they seem to be a bit friendly and that is why they can table two different documents and it is under the discretion of the Committee to choose which one they are going to use. We were expecting them to deny and warn them from tabling two documents to this House.

Thirdly, I want to talk about the bursary allocation. We used to get 2 million each year but I don't know what happened this year and the Chairman has not explained why he is giving us another 30 million for secondary education only. What about the colleges that we have like Mogotio, Kituro, what are we going to do with our students who are going on with their education in those institutions Mr. Speaker.

Mr. Speaker another issue is about phase out projects, there was a list going round and there were some projects which were omitted in the rollover and there is a very calculative move. Mr. Speaker why have they not included the rollover in this budget, they are alluding that it is because there is continuous payment of projects but up to this month we could be in a position to know the real figure of the rollover.

(Applause)

But you see the scheme the Committee is using Mr. Speaker is blackmailing, what about the status of the payments till last month. They could have given out to us that the rollover up to the month of May 2020 is this amount, Mr. Speaker this is because as I stand here Mr. Speaker we have been made errand boys to the Executive, Mr. Speaker, projects for water and roads and infrastructure are always in the procurement, like for my Ward for Financial Year 2018/2019 and 2019/2020 all have not been rolled over Mr. Speaker, they are saying these projects are in the tender stage for almost 45 days, Projects are just lying there.

Mr. Speaker, I want the Chairman to clarify on the omitted projects that were not in the list of phased out projects but it was part of the rollover, and why rollover is not given a figure in this budget now... even if we are not given a real figure, what is so hard to give out the existing projects that are being rolled over and you are telling us here that it is not very difficult, you expect this to be bring it at the supplementary budget Mr. Speaker which is not correct.

Lastly, Mr. Speaker I was expecting the Committee to recommend... from the way the Executive were expressing themselves in this report I was expecting some recommendation like the need to have an engagement with them since most of them seem not to understand the parliamentary practices and we need to have some discussion with them in joint forums so that we will not be expressing ourselves to them in difficulty and for them also to respect the Assembly practices Mr. Speaker.

In conclusion Mr. Speaker is about wage bill, Mr. Speaker we are not in the game played year... last year... even the letter written by the controller of Budget it puts the wage bill to 54%, we cannot deny Mr. Speaker, this House has to stand to the problem that always raises our wage bill in this County Mr. Speaker and we can take the problem by its horns so that our development record Mr. Speaker will be always above 30%. As we speak Mr. Speaker our development expenditure... and that one has to be confirmed by every member in this House that this County's development budget is not 30%, we have been bringing in conditional grants and we add to our budget to look like we have managed to have a 30% budget for development in our County.

Mr. Speaker, the said conditional grants do not even reach our Wards, like the World bank grants, they are not availed to every Ward Mr. Speaker, if today we say we have 30% development money and we minus the given conditional grants Mr. Speaker you can be sure that you will have 27% being development money in our County and Mr. Speaker in the subsequent supplementary budgets the treasury goes on and remove the flagship projects which means in a

year if we do our calculation we will be talking of 25% or 24% money for development in a financial year because they deduct the development money and that is the practice that this Government have been doing Mr. Speaker and we have to stop that.

Mr. Speaker you can remember last year Mr. Speaker, flagship projects for 2019/20 financial year the whole amount was removed and you can go and check Mr. Speaker, I can confirm that in Tiaty there were projects that had Ksh.3 Million remaining and I saw some Wards using this amount to implement a flagship project and I got in my Ward Ksh.1 Million as a flagship project. Mr. Speaker it is sad and that is the scheme used by the Executive on and on always Mr. Speaker.

Mr. Speaker, I also want the Implementation Committee to wake up and I think we should do something so that the implementation of what has been resolved or the resolutions of this House is followed in that the implementation Committee should see in to it that why the projects of 2018/2019 and 2019/2020 are not implemented. I am now seeing projects of 2020/2021 following suit because of the Covid-19 issue.

Mr. Speaker the Sectoral Committee should at least bring quarterly reports to this House.

(Applause)

So that they can be in a position to enable the department rollout the project in place in a very smooth manner without waiting till the end of the financial year then we talk of rollover

(Applause)

If the Sectoral Committee will take this at their level, engage with the department to see why a certain project is taking long... even our issues of Audit report and the challenges we are facing could have been reduced otherwise the Chair to explain why the deduction was done to the bursary kitty and lastly where is the issue of ECD feeding program because I did not see in the budget at the moment.

The Speaker (Hon. Kiplagat): Hon. Member of Silale you are through? ... it's ok because of interest of time let us continue, Hon. Deputy Leader of Majority.

Hon. Leparsalaach: Thank you very much Hon. Speaker, I also rise to support this motion and let me start by congratulating the Committee for the kind of report that they have given to the House, secondly, may I also congratulate all the members for the engagement of the whole process of the budget making, Mr. Speaker sir I only have two issues, first, this House is a House of laws and procedures and when the Committee says that legal compliance of the budget process is 47% then Mr. Speaker it is really wanting.

I do not understand why the Executive could not comply on all the regulations required as per the Act and as per the Standing Orders because you see Mr. Speaker, the requirements ought to have been met 100% and at minimum may be 75% but when it comes to 47% Mr. Speaker in my feeling I would say that we are trying to pass a document which has not complied with the required regulations.

Number two Mr. Speaker, development according to this budget stands at 28% which is way below, it is suppose to be 65% but if it comes to 28% it means that it is 37% below, it is also wanting Mr. Speaker sir, and those are the issues that we need to address as Members so that the services required by the people of Baringo are really felt in the ground if we do not do that then

we would be wasting a lot of our energy without doing much to the assistance of this County Mr. Speaker sir.

My third issue Mr. Speaker is on the implementation, Mr. Speaker, the budgetary period for every year is from June until June the following year, for instance we are now beginning a new year in June which is going to end on 30th June 2021, that means that all the projects that are budgeted within that year must be completed within that same period... now what is the problem, we need to sit down and maybe come up with a Committee within the implementation Committee to find the huddles that the implementing agencies are facing so that they are not able to complete the projects within that given area, Mr. Speaker sir if we don't do that then the services we want out people to receive at the other end will not be realized.

Finally Mr. Speaker sir I want to congratulate the members from the opposition as they want to put themselves although Mr. Speaker we know KANU has joint Jubilee and we are now in the same party

(Applause)

But somebody was saying that he wants to face the Government, Mr. Speaker sir what I want to put across is the word used by Hon. Selemoi... using the word raid, to me that word is unparliamentary...

The Speaker (Hon. Kiplagat): Order, what is the point of order Hon. Tuwit.

Hon. Tuwit: Thank you Hon. Speaker is the member in order to say that KANU is in the Government yet he has not tabled any document in this House Mr. Speaker...

(Loud Consultations)

He is not in Order Mr. Speaker we are hearing this in papers, news but there is no paper tabled in this House Mr. Speaker sir, thank you.

The Speaker (Hon. Kiplagat): What is it Hon. Kimosop.

Hon. Kimosop: Thank you Mr. Speaker, is it in Order Mr. Speaker for Hon. Tuwit to mislead this House on a matter that is public knowledge, it is factual that a coalition agreement was deposited with the registrar of Political Parties and signed publicly and that KANU is part of our coalition in fact it is wrong for them to continue occupying the minority leader position...

(Laughter)

The Speaker (Hon. Kiplagat): Order Hon. Members Order! On that issue I rule that we will be giving the appropriate direction in due time

(Laughter)

For now let us argue about the budget for Baringo...

Hon. Leparsalaach: Thank you so much Mr. Speaker sir for that ruling, Mr. Speaker sir why I was saying the word used by Hon. Selemoi "Raid" as unparliamentary and inciting the public against their Government because Mr. Speaker when he said that the relief food is stored at Governor's office is wrong Mr. Speaker, all relief food is stored at the Nation Cereals and Produce Board (NCPB) deports and so to this food for Baringo County. Mr. Speaker sir I have knowledge that starting from Monday last week, the Covid-19 food was received and it is stored at Marigat National Cereals and Produce Board deports.

(Applause)

Secondly Mr. Speaker sir the tanks that were bought using the Covid-19 funds Mr. Speaker sir the suppliers were told to bring the tanks to the Governor's compound so that after we have received all of them then they will be distributed to the sub Counties Mr. Speaker sir so it will be a temporary stop over...

(Loud Consultations)

The Speaker (Hon. Kiplagat): Order Members, Order Hon. Members, Hon. Leparsalaach are you receiving instructions from another member...

(Laughter)

Hon. Leparsalaach: No Mr. Speaker.

The Speaker (Hon. Kiplagat): Then proceed with your contributions

Hon. Leparsalaach: Protect me Mr. Speaker from the loud consultations on the floor of the House.

The Speaker (Hon. Kiplagat): I am seeing you are seeking for instructions... proceed and finalize because of time.

Hon. Leparsalaach: Thank you... will be taken to the sub Counties as soon as possible and eventually they will go to our Wards Mr. Speaker, thank you so much.

The Speaker (Hon. Kiplagat): Now member you know I had ruled... you know we have the afternoon session, I only minded, I heard members asking for gender balancing, if there is a member of that gender...

(Loud Consultations)

Hon.... You know we have the afternoon session... honestly because I am seeing many hands and for the interest of fairness and I had given a ruling... back to the mover

(Applause)

Hon. Aengwo: Thank you Mr. Speaker sir, I once again want to state or clarify some issues very fast because of the interest of time and I am made aware that the CEC Member may also come and highlight on the revenue raising measures before we go for the final work in the afternoon. First and foremost Mr. Speaker sir the two documents that are alleged to have been tabled Mr. Speaker, I want to clarify to this Hon. House that there is only one document that was tabled, the other document that is being said it was tabled was a...

The Speaker (Hon. Kiplagat): Order! Order! Sergeant-At-Arms what is happening at the back... proceed Chairman it is okay, proceed.

Hon. Aengwo: Thank you Mr. Speaker sir I ...

(Loud Consultations)

The Speaker (Hon. Kiplagat): Order! What is the issue...

We will find out from the Sergeant-At-Arms if that is the position

(The Speaker consults with the Sergeant-At-Arms)

Hon. Leader of Minority Part would you proceed to come to the bar... please just approach the bar and if you want to exit you know our rules and procedures bow it is simple and then you move out....

(Loud consultations)

Order! Hon. Members I am directing the Leader of minority, I am directing that if you are sitting you resume your sit and if you are leaving you bow and leave...

(Loud consultations)

You know what happens... you know the powers in the Standing Orders Hon. Minority Leader...

(The Minority Leader proceeded to the bar and bows)

Thank you very much

(Laughter)

Proceed Chairman, proceed

Hon. Aengwo: Thank you Mr. Speaker, may I respond to the issues that were raised by Hon. Members, first it is alleged that there were two documents that were tabled, I want to clarify to this Hon. House that we actually worked on the official one document, the other document that was tabled was rejected by my Committee so it is only one document.

Mr. Speaker sir...

The Speaker (Hon. Kiplagat): What is it Hon. Selemoi

Hon. Selemoi: Is it in order Hon. Speaker that the Chairperson Budget Committee; Hon. John Aengwo to make a very serious statement that there were no two documents and then he goes ahead to say that the other documents that were presented we rejected as a Committee instead of admitting that the several documents that were presented by the Executive to them were this much and then they relied on this, is it in order Mr. Speaker for him to mislead the House.

(Applause)

The Speaker (Hon. Kiplagat): Hon. Chair of Budget Committee please clarify.

Hon. Aengwo: Mr. Speaker sir, I think the reason why I was saying only one document is because we only worked on one document, we never worked on two documents, may I proceed Mr. Speaker.

The Speaker (Hon. Kiplagat): Proceed and finalize.

Hon. Aengwo: Our resource envelope Mr. Speaker could not allow us to have Ksh.60 Million as bursary kitty for our Wards and I think Mr. Speaker sir all the issues of raising funds to cater for some projects... I am happy and we pray God that today the Senate will be sitting down to work on that Generation sharing formula which this very Assembly is part of the complainers that the revenue sharing formula has always not been favoring Baringo County and...

(Applause)

I think going forward in the afternoon motion will go through and we get a boost of over Ksh.500 Million in this financial year Mr. Speaker sir.

(Applause)

And we are going to bring that money and have our development projects going on, so currently Mr. Speaker sir we are just waiting for this afternoon to see and pray that the Senate pass this motion.

Mr. Speaker sir, on development expenditure that is said to be... the law allows us three years on development, when you don't attain 30% on the first year ...the second year you must... you must make sure that in the three consecutive years you must have an average of 30% on development expenditure and that one we have been attaining even if it comes down the next financial year it goes up Mr. Speaker sir.

(Applause)

On the drilling rig, we have allocated Ksh.10 Million Mr. Speaker sir for its operation Mr. Speaker sir.

(Applause)

On the commendations which is being stated here strongly on the treasury have not been heeding to what we pass in this House, I think this time round we shall work closely to make sure that we remind them on what we normally pass in this House so that they can discuss and see a way of making sure that the recommendations we pass are adhered too and followed to the letter, otherwise Mr. Speaker on public participation to the priority of projects it is done in our Wards and it was actually done a part from the flagship projects.

On typo errors I think Mr. Speaker, as alluded by some of the members we are going to make sure that if there are some errors to be corrected it is going to be corrected Mr. Speaker, otherwise I want to actually request the Hon. Members to pass this motion and beg that I stop there and Hon. Members let us pass this motion, thank you so much Mr. Speaker sir.

(Applause)

The Speaker (Hon. Kiplagat): Thank you very much Chair and thank you very much members for your industrious issues in debate, of cause it was not going to be possible to have everybody debate because of the issue of time and all that but even then you have done well, now I wish to put the question

(Question put and agreed to)

(Applause)

ADJOURMNET

The Speaker (Hon. Kiplagat): Order Members!

This House stands adjourned until this afternoon 2:30Pm

The House rose at 1:25pm