

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on Wednesday 19th May 2021 at 11:10AM

The Deputy Speaker (Hon. Cheboiwo) in Chair

PRAYERS

The Deputy Speaker (Hon. Cheboiwo): Okay welcome Members to our Morning session.

COMMUNICATION FROM THE CHAIR

The Deputy Speaker (Hon. Cheboiwo): Okay Members we have a communication from the Chair. Hon. Members the department of communication requests Hon. Members whose Job Identification (ID) card are either lost or phased to fill the forms in order to have them replaced.

Secondly, Members when the quorum bell is being rung you should not go outside except the whips and we want to request our whips that in absence of the Chief Whip then the Deputy Chief Whip should be around. Also the Minority Whip when he is absent then the Deputy Minority Whip should be around.

Also the Chairperson who is the Majority Leader we want to inform you in the absence of the Majority Leader, you should inform your deputy to be present as well as in the absence of the Minority Leader, he should ensure the Deputy Minority Leader is present or delegate the duty so that the House can run smoothly. Members we have a duty to serve the people of Baringo and we should actually keep our time in serving them. We are being paid to serve them. Clerk!

MOTION

REPORT OF 2020/2021FY ON THE 2ND SUPPLEMENTARY BUDGET ESTIMATES FOR BARINGO COUNTY GOVERNMENT

The Deputy Speaker (Hon. Cheboiwo): Okay Members we have the Motion by the Budget and Appropriations Committee on the 2nd Supplementary Budget, Chair.

Hon. Aengwo: Thank you Mr. Speaker Sir I rise to give the report of the Budget and Appropriations Committee on the 2nd Supplementary Budget Estimates for the Baringo County Government for the 2020/2021 Financial Year. Mr. Speaker Sir, allow me to present the report of the Budget and Appropriations Committee on the 2nd Supplementary Budget Estimates of the Baringo County Government for the 2020/2021 FY to this Honourable House for Consideration.

Mr. Speaker Sir, the 2nd Supplementary Budget Estimates of the Baringo County Government for the 2020/2021 FY were submitted to the County Assembly on Friday, 30th April 2021 and laid on the table of the House on the afternoon of Tuesday 4th May 2021. Upon tabling, the Hon. Speaker committed the document to the Budget and Appropriations Committee in conformity to the requirements of Section 135 of the Public Finance Management (PFM) Act, 2012 as read together with Standing Order 212 and 220 of the Baringo County Assembly Standing Orders.

Mr. Speaker Sir, once the documents were committed to the Budget and Appropriations Committee, they were automatically deemed to have been committed to the various Sectoral Committees to consider them as per their respective mandates.

The Committee in pursuit of its mandate wrote to the County Executive Committee Member (CECM) Finance and Economic Planning seeking for more information on the Supplementary Estimates. Thereafter, the Committee organized for Sectoral Presentations by the respective Committee Chairs and their Clerks in Kisumu to help the Committee better understand the various proposals per Department, this was done between Tuesday 11th May and 14th May 2021. This coincided with project verification sessions with County Assembly Ward Representatives (CAWR's). In addition the Committee had lengthy deliberations with the CECM Treasury and his team on Thursday 13th May 2021.

The County Treasury gave the following reasons as the basis for bringing a Supplementary Budget at this time:

- i. Reduction of Local revenue.
- ii. Allocation of funds to ongoing projects which were suspended/shelved during 1st Supplementary Budget Estimates of FY 2020/2021 and are due for payment.
- iii. Re-allocation of votes heads by departments to cater for emerging issues.

It is important to inform Members that as the Financial Year draws to a close it will be important to ensure commitments that are due are settled to ensure a seamless transition to the next FY (2021/2022FY).

Further this is the first document presented to the Assembly during the reign of the new CECM Treasury CPA. Enock Keston and the Committee is optimistic that he will improve on the quality of processes and documents emanating from the County Treasury including the poorly performing Procurement Section in the County Treasury, that is permanently blamed for the slow implementation of projects leading to huge capital transfers from previous Financial Years; rollovers. The new CECM Treasury has his work cut out and the Committee wishes him good luck in his new assignment.

Mr. Speaker Sir on the Legal basis for supplementary budget I think I may not read the legal matters because we have Supplementary Appropriations and Public Finance Management Act 2012. These are legal matters which are always there. We shall move Mr. Speaker Sir to the committee mandate which is important.

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;

1. Investigate, inquire into and report on all the matters related to coordination, control and monitoring of the County Budget,
2. Discuss and review the estimates and make recommendations to the County Assembly
3. Examine the County Fiscal Strategy Paper presented to the County Assembly.
4. Examine Bills related to the County Budget, including Appropriations Bills; and lastly
5. Evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

Mr. Speaker Sir the composition of the Budget and Appropriations Committee is also written and I may not need to read because it is known by everyone. Allow me Mr. Speaker Sir to

acknowledge. I wish to acknowledge the support and facilitation granted to the Committee from the Offices of the Honourable Speaker and the Clerk to the Assembly respectively.

Mr. Speaker Sir, I would also wish to acknowledge the support received from the County Treasury team led by the CECM Hon CPA. Enock Keston, Mr. William Kurere that is the Chief Officer Economic Planning, Mr. Jacob Kandagor and other Officers who took time to clarify issues and make observations that helped the Committee finalize this report with minimum fuss.

Allow me to thank the Sectoral Committees of the Assembly led by their Chairs and Clerks for taking their time to peruse the Supplementary Budget Documents and prepare reports that were shared with the Committee at very short notice.

Further gratitude goes to the Members of the County Assembly Service Board led by the Hon. Speaker for taking time to analyse and present their report on the Supplementary Estimates of the County Assembly to the Committee. In addition the Committee thanks all Members of County Assembly (MCA's) for taking time to variously review Ward Projects, join Sectoral Presentation Sessions as well as consultations with the CECM. We believe the Members now know a thing or two about the County Budget process and the persons who prepare the budgets.

Mr. Speaker Sir when we were in Kisumu there were actually Members who joined our committee when the treasury were presenting their views to this committee.

Mr. Speaker Sir, last but not least, I want to thank the members of my Committee and the technical officers attached to the Committee led by the Committee Clerk and the Principal Budget Officer for their dedication and commitment in the analysis of the submitted 2nd Supplementary Budget documents towards the development and finalization of this report.

Mr. Speaker Sir, it is therefore my humble duty and privilege on behalf of the Budget and Appropriations Committee, to present the Budget and Appropriations Committee report on the 2nd Supplementary Budget Estimates of the Baringo County Government for the 2020/2021 FY and recommend it to the House for adoption.

Mr. Speaker Sir, after going through the supplementary budget estimates presented by the treasury the committee found out that upon its analysis of the Second Supplementary Budget Estimates for the 2020/2021FY and other supporting documents, the Committee made the following findings;

These are only the findings from what they presented Mr. Speaker Sir and it not the recommendations. Later on there are recommendations but for this one they are only what we found out.

The preparation of the Second Supplementary budget 2020/2021FY was necessitated by the following three factors:

i) Reduction of the Local revenue.

Local revenue Projections have been greatly affected by the Covid-19 pandemic. The local revenue was projected at Kshs 346 Million but as at the end of the third quarter, a meager Kshs 147 Million had been collected which represents 43%, less than a half Mr. Speaker Sir. Therefore, the local revenue had to be revised downwards to Kshs 298 Million. Projects affected worth Kshs 48 Million had to be taken for consideration in the Budget Estimates of 2021/2022FY by suspending Flagship projects that were contained in the CFSP 2021/2022. The projects are herewith annexed in Annex I. Mr. Speaker Sir allocation... that is the second reason for this 2nd supplementary.

ii) Allocation of funds to ongoing projects which were suspended or shelved during 1st Supplementary Budget Estimates of FY 2020/2021 and are due for payment. Mr. Speaker Sir we have a document that was brought and contains those projects, thank you. During 1st Supplementary Budget, a number of projects were suspended or shelved and introduced for funding through proposals in the CFSP 2021 but as per the status of the said projects, most were due for payment and therefore needed to be considered in the 2nd Supplementary Budget.

The said projects are contained in Annex II, which is herewith attached. Projects displaced in this Supplementary Budget due to need for other projects being paid, will be taken for consideration in the budget estimates of FY 2021/2022. Mr. Speaker Sir I think there is also a provision. It may not be attached but there is a different copy of those projects.

iii) Re-allocation of vote heads by departments to cater for emerging issues. This one Mr. Speaker Sir affected so much the recurrent expenditure. There was general movement of funds in some departments or within departments to cater for underfunded or exhausted vote lines as contained in the attached Annex II. The aforementioned met the basis of Supplementary Budgets as envisaged in the PFM Act and the PFM Act (County Government) Regulations.

On legal basis Mr. Speaker Sir, because the reason why it is brought to our committee is that we want to check whether they have done in conformity with the law and therefore Mr. Speaker Sir the Supplementary estimates were legally submitted to the Assembly in line with the provisions of Section 135 and 154 of the PFM Act.

However, the County Treasury failed to submit the Supplementary Estimates in the Programme Based Budgeting (PBB) format prescribed in Regulation 30 (1) (c) of the PFM Act County Regulations which reads:

Budget proposals shall be submitted in the prescribed formats that support program-based budgeting and classification of expenditure in economic classes. In addition the County Treasury failed to submit the Supplementary Appropriation Bill as provided for in Section 129 (1) (b) of the PFM Act. I am happy to note Mr. Speaker Sir that later on they provided and as we speak we have the Appropriations Bill with us so laud them for what they did. They have always been failing. The County Executive Committee member to submit budget estimates and other documents to County Executive Committee for approval.

Now Mr. Speaker Sir this in essence would be a contravention of the Standing Order 120 but already they have provided. Let's go to revenue Mr. Speaker Sir on page 17. Mr. Speaker Sir, the County Treasury intend to reduce Revenue in the 2020/2021FY 2nd Supplementary by Kshs 48,351,960 from the figure of Kshs 7,912,538,919 contained in the approved 1st Supplementary Budget Estimates 2020/2021FY to a figure of Kshs 7,864,186,959. The envisaged reduction was in the Local Revenue which is proposed to be down scaled from Kshs 346,088,720 contained in the approved 1st Supplementary Budget 2020/2021FY to a new figure of Kshs 297,736,760 in the 2nd Supplementary Budget Estimates.

Mr. Speaker Sir the reduction in Local Revenue is informed by the reduction in Game Park fees by a figure of Kshs 48,351,960 arising from the myriad lockdowns worldwide and the adverse travel advisories issued by the United States of America (USA) and the United Kingdom (UK) amongst other Western Countries urging their Citizens to avoid unnecessary travel to Kenya, as a result of increasing occurrences of severe strains of the Corona Virus Disease 2019 (Covid -19).

Mr. Speaker Sir, analysis of documents indicates that as at the end of the Third Quarter of the 2020/2021FY, that is 31st March 2021 the County Treasury had managed to raise only 147

Million of the projected 346 Million Local revenue target representing 43% of the total. This in simple terms means the County Government has the uphill task of collecting a whopping 199 Million in the Fourth Quarter, which historically has been a dismal revenue collection period.

In Baringo Mr. Speaker Sir the period that we normally get a lot of revenue from visitors or tourists coming is the period that actually falls between June-September, December – Christmas festivities period and March or April, Easter festivities period and the peak Plot rents or rates and Single Business Permit payment period that is between January – April. All those period are passed and still we have less than half of the revenue collected. That means we shall press and there is shortage automatically.

Mr. Speaker Sir this are the projects that the County Treasury proposed to reduce to curb the shortfall in revenue. Mr. Speaker Sir however in-depth analysis noted that the project named Kapchepkisa Foot bridge in Saimo/Kipsaraman with an allocation of Kshs 3,500,000 is not actually a bridge but Kapchepkisa Primary - Ngata Road.

In recurrent expenditure Mr. Speaker Sir, there were few changes noted in recurrent Expenditure (R.E) with the resultant effect being the following changes in the departments. That is what you have seen. The once in bracket is what was reduced and the ones without brackets is what is added. It was just movements of vote.

The notable change in the Office of the County Secretary was informed by the reduction of the Group Personal Insurance budget line by Kshs 10,000,000 which is used to pay for the Medical Insurance cover for County Government staff. The reduction was based on the actual amount having been lower than the projected cost.

The other change of Kshs 6,000, 000 was based on a reduction of the County Executive Car Loan and Mortgage which may not be absorbed in the few days to the end of the Financial Year.

On development expenditure Mr. Speaker Sir, there were several changes within Departments which cancelled out, justifying their being referred to as reallocations of budgetlines. Nevertheless there were notable changes in the following departments. You can also see in the table below Mr. Speaker Sir. The Changes were informed by the reduction of Local Revenue by Kshs 48,351,960 thus projects of an equivalent amount had to be shelved to the next FY.

The increment in the Department of Agriculture, Livestock and Fisheries Development of Kshs 1,300,000 was as a result of harmonization of Cattle Dip Projects in Bartabwa Ward and other wards that were due for payment, thus an amount of Kshs 1,300,000 was sourced from the Education and Vocational Training Department's projects for Bartabwa Ward.

Mr. Speaker Sir the additional allocation of Kshs 8,000,000 for Eldama Ravine was for the final payment for the Eldama Ravine Integrated Urban Development Plan (IUDP) with an amount of Kshs 6,800,000 and the remainder of Kshs 1,200,000 being for the Eldama Ravine Fire Engine.

On Compliance to Fiscal Responsibility Requirements Mr. Speaker Sir, the Supplementary Estimates met the requirements of Fiscal responsibility as espoused in Section 107 of the PFM as follows:

The Supplementary budget was balanced in that Total Revenue matched Total Expenditure.

The percentage of Development to the total budget is at 40.9% which is within the acceptable PFM Fiscal responsibility provision of 30% but Mr. Speaker Sir you remember up to this particular moment I think there is no implementation of projects and no payments so for the 40.9% is just on paper but the actual work on the ground was not done. Personnel Emoluments

(P.E) is at 41.18% which is 6.18 % above the acceptable 35% as set out in the PFM Act (County Government) Regulations;

On Sectoral Presentations Mr. Speaker Sir, the committee organized for Sectoral Committee presentations on the 2nd Supplementary in Kisumu between Tuesday 11th May and Friday 14th May in Kisumu. The Sectoral Presentations are herewith attached in Annex 4. Now the important part Mr. Speaker Sir is the recommendations by the committee.

Mr. Speaker Sir, based on its analysis of the documents pertaining to the 2nd Supplementary Estimates of the 2020/2021FY as submitted together with other documents presented by the CECM Finance and Economic Planning, consultations with the Baringo County Assembly Service Board (BCASB), recommendations from presentations by Sectoral Committees of the Assembly, Comments of the Controller of Budget (CoB), and comments of the CECM Finance and Economic Planning as envisioned in Section 131(2) of the PFM Act, 2012 and Standing Order 212 (5) of the Baringo County Assembly Standing Orders, the Committee makes the following Recommendations:

1. Mr. Speaker Sir, that, the County Treasury CECM and the Chief Officers (C.O's) to convene a meeting of all CECM's, C.O's, Directors and Project managers in the various implementing Departments to improve communication channels, create synergy and standardize project implementation and reporting by the County Government.
2. That, the Department of Agriculture, Livestock and Fisheries to ensure that feasibility studies are done before Cattle Dips are constructed to ascertain their ability for self-sustenance and avoid wastage of scarce resources. Mr. Speaker Sir there is a report in this House that most dips are not operational not because they are in bad state but because maybe of poor management. So a policy should be in place.
3. That, the Department of Agriculture, Livestock and Fisheries should put in place policy regulations on how Cattle Dips will be set up, managed and monitored. The regulations should include how to price the Dipping levies.
4. That, the process of recruiting ECDE teachers' replacements by the County Department of Education, be fast tracked and a progress report be submitted to the Education and Vocational Training Committee within a month of the adoption of this report. Mr. Speaker Sir we also have a recommendation during our County Fiscal Strategy (CFSP) that some of our departments in this County, if we are not going to be careful, we shall run short of personnel especially in agriculture and I would like to say Mr Speaker Sir that in line with this recruiting of ECDE teachers, we are also suppose to replace all the retired workers in this County. So that we can have engineers who retired but there is no replacement at this moment. So Mr. Speaker Sir our recommendation is there and I think they should go in line with the replacement of the ECDE teachers.
5. Mr. Speaker Sir, that, Sectoral Committees to be more robust and undertake fact finding on their respective Sectoral Department's projects, to ascertain their actual implementation status to avoid the misleading reports regularly presented to the County Treasury on project status. Mr. Speaker Sir we have a classic example of a dip in Bartabwa ward where the department brought a report where they are saying there is no land but actually the dip had been constructed and it was in use only for the contractor Sir, upto today he has not been paid yet the dip is in use. So Mr. Speaker Sir we also want to urge the committee in charge of livestock and also the department to be up in their oversight especially the committee.

Further the County Treasury to provide a detailed report on the actual status, including payment details of the projects that were proposed for amendment in this Supplementary Budget during the presentation of the Fourth Quarter 2020/2021FY Budget Implementation Reports to the Finance and Economic Planning Committee.

6. That, the Trade, Tourism and Cooperatives Committee in conjunction with the Sectoral Department and the County Attorney's Office fast track the process of amending the Baringo County Ward Development Fund Act and to initiate the process of making policy regulations to guide financial support including grants to Organized business groups in the County. Mr. Speaker Sir this will give this ward representatives a leeway in also assisting even the youth to get grants to even start their businesses Mr. Speaker Sir.
7. That, henceforth the County Treasury and the Sectoral Committee to document and keep track of any changes of projects, either by the County Treasury during collation of budget documents or by the Budget and Appropriations Committee during the approval of Budgets, any changes if any, be captured and signed for by the concerned Hon. Member in hard copy to avoid cases of missing projects. Mr. Speaker this has been a common in this House. All the time my project is missing, three projects is missing or four projects is missing.

Mr. Speaker Sir I also noticed that some of the Members are not genuine. They change their projects and start new projects and when the line is not removed it will still read in a supplementary budget that the money is removed. We have recommended as a committee that any change, we have opened a file so that when a priority changes in a ward and you introduce new projects, you must sign up that you have changed this project to this other project so that we don't be blame for a mistake that is not ours Mr. Speaker Sir. Anyhow I want to also say, atleast if there is any project that is lost then we can follow up. To avoid that confusion and so that when the committee is blamed it is blamed squarely when something is lost. We want also Members to own up any change of projects.

8. Mr. Speaker Sir, that project managers or accounting officers where applicable be held personally responsible for any instance of misleading of any Assembly Committee on project implementation status and be reprimanded in a manner deemed necessary by the affected Assembly Committee, in concurrence with relevant laws on access to information.

Mr. Speaker Sir I don't know whether, I thought the Member of Bartabwa is around because Mr. Speaker Sir...

(Hon. Chepsongol stands in his place)

Sorry, he used to sit here. I know Mr. Speaker Sir that the report that was brought to the committee was from the CO livestock which was very much misleading Mr. Speaker Sir.

9. That the County Treasury to ensure Projects which were subjected to reductions in the making of this Supplementary budget be transferred to the 2021/2022FY budget as a First Charge.
10. That, the County Treasury should ensure it presents budget documents (Annual Estimates and Supplementary) in the prescribed Programme Based Budget (PBB) format, as stipulated in Regulation 30 (1)(C) of the PFM Act (County Government) Regulations;

Further, that the County Treasury shall henceforth present the Appropriation Bill or Supplementary as the case may be alongside the Estimates as provided for in Section 131 of the PFM Act failure to which the Estimates shall not be received by the Assembly;

11. Mr. Speaker Sir, that to ensure effective and efficient monitoring of Projects, the County Treasury should document the Procedures in Project Implementation and put in place measures to ensure implementing departments strictly adhere to the procedure (s) including but not limited to Site handing Over to Contractor at project onset and site handing over to the User Department by Contractor at end of project; Further all handing over of projects in a specific ward should be witnessed by the area MCA Mr. Speaker Sir to avoid such cases that arose.
12. That, Local Revenue Own Source Revenue in the Second Supplementary Estimates 2020/2021 be retained at the figure of Kshs 346,088,720 as contained in the Approved 1st Supplementary Estimates;
13. That, to protect public interest in the land recently bought by the Assembly for construction of the Honourable Speaker's Residence, the County Assembly be allocated an amount of Kshs 6,500,000 for the surveying, beaconing and fencing at the site, in preparation for its construction which shall be funded in the making of the 2021/2022 FY Budget, to meet the deadline of 30th June 2022 given by SRC through a circular for the construction of Governor, Deputy Governor and Speaker residences.

Further the Assembly be allocated a sum of Kshs 3,000,000 towards the completion of the Public Gallery, to enable Honourable Members to move back to the more spacious and state of the Art Chamber so that they may legislate in comfort.

14. Mr. Speaker Sir, That the 2nd Supplementary Budget Estimates for the 2020/2021FY Revenue and Expenditure Schedules be set out thus:
 - i. That, the Program Based Budget (PBB) be as set out in the First (1st) Schedule. The schedule are behind our documents.
 - ii. That, the Overall Revenue Streams with Local Revenue Streams be as set out in the Second (2nd) Schedule. We have second schedule A and B. I think it was omitted; A&B.
 - iii. That, Overall Expenditure Summary be as set out in the Third (3rd)Schedule;
 - iv. That, the detailed Recurrent Expenditure (R.E) summary be as set out in the Fourth (4th) Schedule;
 - v. That, the Development Expenditure (D.E) summary be as set out in the Fifth (5th) Schedule and then lastly Mr. Speaker Sir;
 - vi. That, the shelved Projects to be transferred to the 2021/2022FY be as set out in the Sixth (6th) Schedule.

In Conclusion Mr. Speaker Sir, that, this House approves the report of the Budget and Appropriations Committee on the Second Supplementary Estimates of the Baringo County Government for the 2020/2021 Financial Year, laid on the Table of the House on the afternoon of Tuesday 4th May, 2021 and in accordance with the provisions of Article 223 and 224 of the Constitution as read together with Section 135 of the PFM Act and Standing Order 220 of the Baringo County Assembly Standing Orders, approves -

- i. A total Budget Expenditure of Kshs 7,912,538,919to meet the Expenditure during the 2020/2021 FY in respect of the Votes as attached in the First (1st) Schedule;

- ii. An increment of Kshs 3,980,000 to the Recurrent Expenditure (R.E) of the Baringo County Second Supplementary Budget 2020/2021FY from Kshs 4,647,487,647 to read Kshs 4,651,467,647 in respect of the votes as contained in the Fourth (4th) Schedule;
- iii. A reduction of Kshs 4,000,000 to the Development Expenditure (D.E) of the Baringo County Second Supplementary Budget 2020/2021FY from Kshs 3,265,071,272 to Kshs 3,261,071,272 in the Votes as contained in the Fifth (5th) Schedule.

Mr Speaker Sir, Further this House resolves that, the Schedules herein attached (First to sixth Schedules) form the basis of the enactment of the Second (2nd) Supplementary Appropriations Act 2021. Mr. Speaker Sir, I beg to move and ask my Vice Chair Hon. Kibarar to second, thank you Mr. Speaker Sir.

The Deputy Speaker (Hon. Cheboiwo): Hon. Kibarar.

Hon. Kibara: Thank you Mr. Speaker I rise to second the Motion and say that in doing, we are in conformity with our Constitution of Kenya (2010) and the PFM Act 2012 and the reasons Members has been highlighted in the report read by my Chair. Among them is the reduction of the local revenue which is a normal thing.

We expected to get a higher amount but we got a lower amount then it necessitated for this 2nd Supplementary Budget and among others is the allocation of funds to projects which were either shelved or suspended in the 1st supplementary budget so that payment can be done before the end of the Financial Year. I want to thank the sectoral and any other person who made the budget making process for this 2nd supplementary budget a success until this far.

Secondly, I know after requesting you Members to pass we expect the implementation to happen and we expect also MCA's to follow up especially on their projects if they have started or been completed so that they know what is going on in their wards. We also hope that this 2nd Supplementary Budget will go a long way in reducing roll overs in case some projects will be done then we shall have reduced by some extend.

So in this report we have taken into consideration into many issues on the operation and maintenance including other development agendas for our Assembly. Remember we have the gallery and the Baringo County Government whereby some administrative services have been accorded some funds.

Lastly, Members I want to request that we approve this Motion and report so that we can proceed as a County at this time when we need this money to be in use, Thank you Mr. Speaker Sir and I second.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Kibarar.

(Question Proposed)

Debate is open. Before I give to a Member I want to give Hon. Elizabeth for being the only nominated Member who has been in this House and Hon. Kibai for also being here.

(Applause)

I want to urge the Nominated Members to be attending session so that they follow the procedures for this House because maybe next year some of them will be elected and...

(Loud Consultations)

Okay Hon. Cheserem Member of Saimo/Soi Ward.

Hon. Cheserem: Thank you Mr. Speaker for giving this opportunity to add my voice to this report. Mr. Speaker Sir, I want to take this opportunity to go in record that for the first time I am not supporting this report. I am not supporting it because it has errors and I will never be part of those who are supporting documents with errors... Mr. Speaker Sir, to prove that there is an error in this report; we have this document for the changes in the 2nd Supplementary Budget for the FY 2020/2021. Mr. Speaker Sir on page 7. Please those who don't have a copy may they be given so that they can confirm what I am saying.

Mr. Speaker Sir on page 7 it is in record that a cattle dip known as Tipingar with cash transfer which is meant for the construction of that cattle dip. It is written there is change of Kshs.700,000 and it is ongoing, this is a lie Mr. Speaker Sir. It is one of the items that I requested to be corrected but now they are transferring false records. That project Mr. Speaker Sir is supposed to be having 1.6Million or 1, 625Million and presented erroneously and they want us to approve.

Mr. Speaker Sir, I am not also approving this report unless in future when I am satisfied with the information about the Speakers residence to be fenced. I would like to know what is the size of land because the amount purchase for that land is equal to the amount of fencing. Mr. Speaker Sir the difference is less than a Million and you can imagine Mr. Speaker Sir fencing and purchasing is almost the same amount.

Mr. Speaker Sir, I think there is something which is amiss there. I am also yet to be convinced in future not now to why a ward project which has money is changed without the knowledge of the representative of that ward which I am affected. I am talking about my ward Saimo/Soi. How do you make changes on a ward fund...

(Hon. Parkei stands in his place)

I don't need that information now, it is not necessary because...

The Deputy Speaker (Hon. Cheboiwo): The Member has refused the information for now let him continue.

Hon. Cheserem: Thank you Mr. Speaker.

(Hon. Kipchumba stands in his place)

Mr. Speaker Sir it is for the first time...

The Deputy Speaker (Hon. Cheboiwo): What is the point of concern Hon. Kipchumba the Majority Leader?

Hon. Kipchumba (The Majority Leader): Thank you very much Mr. Speaker. My point of concern to Hon. Cheserem is that he had all that time to attend the meeting in Kisumu but he never attended. Mr. Speaker also the Member is questioning the fencing of the plot, the Bill of Quantities (BQs) are there. Nothing is just written there without the BQs. I think the role of the Member Mr. Speaker is oversight and I think he is not a Quantity Surveyor (QS), thank you very much.

The Deputy Speaker (Hon. Cheboiwo): Continue Hon. Cheserem I am not seeing any important issue there because it is your observation.

Hon. Cheserem: Our Majority Leader wanted to announce his presence. Thank you for being present today our Majority Leader because you are aware of what is happening and that is your...

(Hon. Kipsang stands in her place)

The Deputy Speaker (Hon. Cheboiwo): What is the Point of Order Hon. Elizabeth? I think I respect you very much because of being present.

Hon. Kipsang: Mr. Speaker our Majority Leader has always been here. I think Hon. Cheserem might have been here spiritually and that is why he has not been seeing the Majority Leader but he is always here.

(Laughter)

The Deputy Speaker (Hon. Cheboiwo): Thank you, Hon. Cheserem just stick to your response because actually Hon. Majority Leader has been here, you can continue.

Hon. Cheserem: Thank you for protecting me but Mr. Speaker Sir if I want to confirm why I am saying so, in the morning I sat here alone together with the Chair of Budget and Appropriations Committee and I didn't see him around. Even the one protecting him, Hon. Kipsang was not here. So Mr. Speaker Sir I think I am being taken for a ride.

(Loud Consultations)

The Deputy Speaker (Hon. Cheboiwo): Hon. Cheserem just continue so that you don't cause a lot of discomfort to Members.

Hon. Cheserem: Okay...

(Hon. Kibai stands in his place)

The Deputy Speaker (Hon. Cheboiwo): Hon. Kibai what is your Point of Order?

Hon. Kibai: Mr. Speaker I think the Hon. Member from Saimo/Soi is out of order because he has mentioned a very serious allegation that he was here alone. Mr. Speaker I was also around and you know Mr. Speaker being on record because this is a House of record and the Members were here. Mr. Speaker we suspended the House for one hour because of urgent issues we wanted to attend and the Members were here. Mr. Speaker Hon. Cheserem should withdraw and apologize.

The Deputy Speaker (Hon. Cheboiwo): Okay thank you Hon. Kibai. I think we didn't start the session for the House early in the morning. We were to start by 9:30 but we said let's start by 11am because there were only two Members in this House and that was Hon. Aengwo and Hon. Cheserem and that is why we could not start the session; we didn't run the session in the morning. Continue Hon. Cheserem.

Hon. Cheserem: Thank you Mr. Speaker Sir I don't want to belabor because I am on record that I am not supporting this report. Mr. Speaker Sir, I urge the committee to consider all the information because I know this is a document that will go ahead for assenting then for use. Mr. Speaker because time is still available for them then I am urging Members if it could be allowed for them to bring the correct report for us to pass, let us just not pass this with the errors, thank you Mr. Speaker Sir.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Cheserem, Hon. Parkei Member of Mukutani Ward.

Hon. Parkei: Thank you Mr. Speaker Sir, just want to give a clarification about what Hon. Cheserem was saying because Mr. Speaker Sir I have the budget here. He question about Tipingar Cattle Dip saying that maybe in the budget Tipingar was having maybe 1 Million but

concerning the budget in page 106 of 138, the same Tipingar Cattle Dip has only Kshs. 700,000. So it concurs with the estimates of the department Mr. Speaker Sir.

So he can substantiate because I have the budget here and what he is saying. In page 106 Tipingar Cattle Dip has only Kshs. 700,000 Mr. Speaker Sir. So if you want just to shoot down the report just say the truth because the truth will set you free, thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Parkei for your clarification, next Member. Hon. Solomon Makal Member for Kolowa ward.

Hon. Makal: Mr. Speaker I just want to say that this committee has done a very good job and I request only the House to approve. Mr. Speaker I have gone through the document and it is okay Mr. Speaker. It is only some changes which need to be done and not a big deal and I have also seen some few projects that we are going to reintroduce in the main budget even including mine.

Mr. Speaker, I just want to congratulate the budget committee who have done a good job and let's pass this report, thank you Mr. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Thank you Member of Kolowa Hon. Solomon Makal, Hon. Richard Rono Member of Barwessa ward.

Hon. Rono: Thank you Hon. Speaker for this opportunity to air my contribution. First and foremost I want to congratulate the committee for getting us this elaborate document.

(Loud Consultations)

Mr. Speaker I just want to touch on some of the recommendations. Protect me...

The Deputy Speaker (Hon. Cheboiwo): Order Members. The Hon. Chief Whip and the Majority Leader take your rightful positions.

Hon. Rono: Thank you Mr. Speaker, they should tell us when there are some changes. There were changes which were not communicated here in terms of sitting arrangements. However, Mr. Speaker I just want to go to the recommendations but before I do that, I think Hon. Cheserem raised some concerns on some projects in the wards but I know the whole document is not casted on stones, the committee still has room to allow us interact with them. I believe the Chair will correct us on that because we have some issues that we think need us to interact.

Mr. Speaker from recommendation No. 1, I commend the committee for actually highlighting on this issue that we need to consult with the Executive so that we can read from the same page and ask some very pertinent questions and Mr. Speaker this one should be treated as urgent. This recommendation Mr. Speaker is very important in terms of pushing our projects and service delivery to the people of Baringo.

So I join hands with them in that recommendation. Mr. Speaker there is an elephant in the House and that is on the cattle dips. I have been wondering going around my ward Mr. Speaker, there are many cattle dips which were constructed before and after devolution. Very good cattle dips. They just collapsed in a mere kind of mismanagement Mr. Speaker. This is simply because the National and the County Government initially constructed very good cattle dips using a lot of money, they put the acaricides, they dipped the animals but only to be left to the hands of the committee in the villages thus they ended up running them down.

Mr. Speaker we need a policy as they have recommended to manage these cattle dips because at the end of the day when you go down there, the animals are dipped at a small fee that is used to run the facility but in case of any technical hitch Mr. Speaker, you will find the committee

coming to the office of the MCA requesting for acaricides and repairs but Mr. Speaker when you go back to their record they collect a lot of money that the committee share in a merry-go-round kind of thing Mr. Speaker. I am saying this from a point of experience.

I have visited many cattled dips and I remember one in my ward which had around Kshs. 400,000 but the committee sat down and gave themselves money in a merry-go-round and they could not even account for it and actually the cattle dips have collapsed. So Mr. Speaker this is a very serious issue and I suggest to the Members that we need to stop these cattle dips if we don't have a policy. Let's not built them if we don't have a policy because at the end of the day we will not get the value for those funds.

So this is a very serious matter, we need to look into, we need to interact and engage especially in the department of livestock. They need to get us a policy on how to manage these facilities Mr. Speaker. I have gone out of my way to do what is not there by instituting that in any cattle dip, the ex-official is the ward administrator; so that they will not remove any money from the account without the knowledge of the ward administrator. I thought about this because the ward administator is the employee of the County Government and if there is any mess I can trace him or her and not the committee because they are not bound by any law. So this is a very urgent matter and we need to look into it.

Mr. Speaker in recommendation No.4 there is the issue of ECDE teachers' replacement and employment. Mr. Speaker currently I don't have ward administrator and from Barwessa they advertised internally. That means to be sourced internally for my ward administrator. I went to ask the County Public Service Board (CPSB) they have advertised internally and it is in the Kenya gazette? They are said they are strictly following a letter written from this Assembly informing them not to employ any. That we discussed from this Assembly and we made a recommendation Mr. Speaker that they should not hire anybody. I am not aware of that letter Mr. Speaker.

The last time I remember during a *Kamukunji* we discussed about employment in this Assembly, that is the 113 which was advertised by the Assembly and we suggested that we don't need to employ them but source internally from this Assembly. We never discussed anything on the Executive Mr. Speaker. So I don't know from which source in this Assembly was that letter written to the County Public Service Board to deny the people of Baringo the employment opportunities and service delivery.

Mr. Speaker I am very keen as Member of House of honour, leadership and oversight and I am not aware that we discussed as the Honorable Assembly and agreed that the Executive should not hire anyone. So if it is to that fact Mr. Speaker that we discussed such that then I need to be told. Mr. Speaker currently we need to hire since people are retiring and we still have job vacancies. I think Mr. Speaker I need your indulgence on that question because now then people of Barwessa might not get a competitive process of sourcing a ward administrator.

I have many graduates and youth who need to be employed and I thought this is one of the opportunities. I am talking about Barwessa but there are many administrators advertised internally in that paper. They need to be open and let our young people who graduated have the opportunity to try their luck for us to realize efficient service delivery. Otherwise Mr. Speaker I don't want to dwell so much on the recommendations because they are wonderful. If these recommendations are followed to the latter and effected then I think we will go far as a County Mr. Speaker. With those few remarks Mr. Speaker I support the report, thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Rono. Hon. Musa Cheruiyot Member of Koibatek Ward.

Hon. Musa Cheruiyot: Thank you Mr. Speaker for giving me this chance to contribute to this Motion. First Mr. Speaker Sir, I support this Motion of the report of the 2nd Supplementary Budget. Mr. Speaker Sir I had an item that is in page 8 and for sometime it is a project which has rolled over for about 3 years and the reason is that when we joined this Assembly I got some donor who assisted me to install a solar pannel and that money was allocated for purchase and installation of solar pannel to Orinie Borehole. On the way Mr. Speaker Sir we got a donor who did that work but since we had some money which was there for that project, I had a chance to go to the department and change that item to be for construction of a masonry tank and also piping of water.

So Mr. Speaker it gave me a chance that the money which could have been rolled over for sometime, we could now channel it to a useful project. Mr. Speaker Sir I want to congratulate the committee and thank them that they have given us a good report. I am not complaining about the change of projects because that is my initiative because I wanted it be done that way.

Secondly, Mr. Speaker Sir concerning the cattle dips, I have a number of cattle dips in my ward which were constructed during colonial time befitting the capacity as at that time but currently the size of the farms have reduced and no farmer has even more than 20 animals in their farm. So the problem now Mr. Speaker Sir is that we have to invest again on constructed cattle dips and we reduce their capacity. If you can see in my ward Mr. Speaker Sir, nearly all the dips and I have about nine of them which were constructed during the colonial time and now the farmers cannot afford because of the capacity. It needs a lot of water which accommodates about 26 animals but farmers want it to be reduced to a capacity of 14 animals.

So this is the time we have to put in some money and we are not constructing new cattle dips but renovating them and changing the capacity to accommodate the animals for the farmers. When the dip is of big capacity dip it needs more acaricides and water and farmers have got only maybe 5 to 10 cows and they cannot maintain that dip, the dips we have are actually not new we have Ex-Power dip, Tuinyobei, Williams, Delemare and even Kiplombe dip which was constructed during colonial time and now we are reducing the capacity because the farmers are not able to manage them.

Lastly Mr. Speaker, about the employment of the ECDE teachers who are being paid by parents, some have been in service for over 20 years and they are not employed while some have reached retirement age something should be done; some of them stay without salary for some years and they have been patiently waiting they should be given an opportunity. We have some who are graduating from training institutions and they need employment. We are punishing the parents by making them pay the teachers and they are given low payment they are not even able to support their families. Mr. Speaker if there is that opportunity I am not shutting out others, Hon. Rono said something that I think we should... in my ward we have a vacancy for ward admin and the advertisement was internal. I think it is misplaced because there are so many people who want the opportunity. Unless there are people who are have been identified for that opportunity, it should be open for everyone. For those few remarks thank Mr. Speaker I support.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Musa Cheruiyot, Hon. Selemoi member of Churo Amaya

Hon. Selemoi: Thank you Mr. Speaker for allowing me to contribute, I want to lament that this is a report that needs to be passed with amendments so I reject it totally because this report was made in a hurry and it is non-responsive to our needs. We all know that the work of supplementary budget is to respond to the needs and gaps that we were subjected to by subsequent budgets. Mr. Speaker in the report we are aware that as a country we are faced with serious issues of the pandemic and this supplementary budget did not fill the gaps that we are in through the pandemic. Mr. Speaker one of our mandate as County Government is the issue of early childhood, including bursaries I am very grateful that the majority of the projects outlined by MCAs are ECDE centers, equipping the ECDE centers But then there is no element of bursaries in this supplementary budget yet it is our core mandate. This report is very pedestal in addressing issues that we are facing.

Mr. Speaker the supplementary budget for health ministry we are aware that there is declining number of PPEs and the isolation centers are shrinking and the isolation beds are no more because of the incase in the pandemic but none of the funds was ment to cushion such this report is not consultative.

Mr. Speaker in one of the items as Baringo County Assembly budget we are making appropriation for fencing of Speakers House for a tune of 6.5 M and the item there is to buy chain links and we know fencing by chainlike will not reach that amount we would have even said concrete fencing

Mr. Speaker the outline measures that was read by the Chairman for revenue targets...

(Hon. Aengwo Loudly Consults)

Why is the member of budget interrupting me there is a time for the Chair to respond.

The Deputy Speaker (Hon. Cheboiwo): Continue Hon. Selemoi

Hon. Selemoi: give me my time. The revenue measures that was highlighted by the Chair are not very explicate so much that we dong go to the same chorus again in the sub sequent budget that is around the corner. Mr. Speaker I am lamenting that there has been omissions of ward projects by these committee so much that the members suffer the consequences. For example in my ward there are subsequent missing projects and when you follow it up they go missing forever when the contractor has supplied materials and has not been paid for example the sports equipments for Churo Amaya and other flagship projects. Mr. Speaker this is a time we need to interrogate vividly the importance of flagship projects in our County, what is their purpose and intention for example as we sit here the governor was intending to launch a Sahiwal program and distribution of cows at Kimalel today and I was not consulted. I know a section of us were informed and this is the kind of lamentation I am making that distribution is skewed. We saw the other week Gala goats were distributed in a biased way and some of us were not beneficiaries of it and previous seedlings. We don't know if flagship projects are meant for specific areas or specific wards and their purpose Mr. Speaker even the grants we agreed that we don't have a policy to that effect but the grants has been selectively been given to some wards, we know that a section of some wards have been receiving grants but when it reaches other wards they are told that we await for a policy Mr. Speaker this are some of the selective decisions that we need to get rid of.

Mr. Speaker the ECDE replacements, according to the ministry they are saying that they want to replace those who passed on, retired, absconded or otherwise left service but then in the same ministry they are replacing new ECDE centers that were not in the list at the detriment of other places. I call upon the Chair education to be cognizant of the fact that further marginalization in

the ECDE replacement will not be tolerated. Mr. Speaker I saw a report by the legal affairs and devolution in these report and they were so generous to increase allocation to fuels, lubricants, insurance for the office of the governor so much that it is appearing to be retirement payment for the governor. Why is the governor in a hurry to get these funds yet we still have the main budget where is he running to Mr. Speaker I oppose this motion pending amendments, thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Selemoi, you have explained so much the members will handle it. Hon. Kibai

Hon. Kibai: Thank you Mr. Speaker first I want to thank the committee for this report, we have been here for almost four quarters and the committee led by Hon. Aengwo has been doing a great work. Before I comment on these we are on a special sitting, I received the message of this sitting on Monday evening and I thought of Hon. Lokales of Tirioko that he is been recalled for a special sitting on Tuesday morning and he received the message on Monday evening, that is not fair and it needs to be rectified in future, I was driving from Nairobi and the person I was thinking will have a lot of problems we met along the way he was driving so fast.

Mr. Speaker another issue that you also raised is about the nominated members, I am among the nominated members and I think it's unfair to categorize members in these House because we have been here present and others have been absent both the elected and nominated. It is fair to call whole House in order without categorizing the members.

Mr. Speaker on this particular supplementary budget I will not dwell so much, because it is not the main budget it is just aliening projects but there is notable issues that I saw in these particular document and the Chair should tell us because there are only five members who signed these document were the four members absent , because tomorrow when I become a governor or CS other members will come and say during this period there are members who decent this particular document and it can attract legal issues

Mr. Speaker when a document is brought to this House it should be in a very serious and respectable, when four members of a committee don't sign it raises more questions, I think the committee will respond on that concern.

Mr. Speaker we need also to check the previous supplementary budgets we have been approving in these House whether they have been followed to the latter or we are just rubber stamping them a legal and usual process. Mr. Speaker we are heading to the election period and members of this House are very serious because even when you check on the previous opinion polls the County Assembly of Baringo are the best so the members should check on their projects well without just assuming and going to the ground before checking if they been approved in the budget before being forwarded.

Mr. Speaker my third concern about this budget is that there were some anticipated shortfalls and the County treasury decided to shelve certain projects Mr. Speaker according to me projects which should not be shelved are health issues and out of 15 projects from 1-7 are health related project because that is a basic requirement. The Governor of Wajir was impeached and out of 17 issues its only one that made him loose is seat and that is health. Mr. Speaker if a dispensary need to be relocated because of flooding and you say that you will suspend it seems you are not reactive to the basic principles of lives of the people which is contravening the Constitution.

Mr. Speaker the committee should be checking on those issues, I like how Hon. Selemoi raised on the response given to certain issues, now the pandemic is here if you shelve building of dispensaries it means you are not responsive to the health of the people, we have not seen a

tangible in this supplementary budget that will deal with the pandemic and we have seen that the virus is mutating, we need to be very focused, the County governor of Nakuru is proposing to build a big oxygen plant. Where are our priorities?

Mr. Speaker that's an issue I wanted to raise and the committee on budget can prioritize projects. I support the committee recommendations and this particular budget, thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Kibai, you have raised the issue of communication and our clerks have noted so that in future members should not be ambushed. What is it the Majority Leader.

Hon. Kipchumba: Mr. Speaker, I rise on a point of clarification to our brother Hon. Kibai that the other members of budget who never signed are in agreement to the document, this is simply because...

The Deputy Speaker (Hon. Cheboiwo): Thank you Majority Leader I think there is no clarification there, Hon. Paul member of Lembus Perkeria.

Hon. Serem: Thank you Mr. Speaker Sir, mine is a question because there are some money which was budgeted.

The Deputy Speaker (Hon. Cheboiwo): Order majority leader and Hon. Kibai give room to Hon. Paul.

Hon. Serem: There some money that was allocated to ATC to pay contractor but it is unfortunate that the money has been transfer to kewangoi farmer's store on page seven Colum two kshs1.5 M allocated for the completion of ATC guest House reduced by 1.05M to pay the Kewangoi farmers store, why Mr. Speaker Sir thank you.

The Deputy Speaker (Hon. Cheboiwo): Chair you will clarify, Hon. Kebut.

Hon. Kebut: thank you Mr. Speaker Sir, I rise to support this motion and I think a lot have been done in this document except for some errors which I think the Chair can correct but they have come up with very important recommendations. I dint want to repeat this one for cattle dips but I think in the first regime it was an ambitious program and they spent a lot but they dint make follow up and the capacity of the management committee, Mr. Speaker the community are also lacking veterinary officers who are supposed to teach them currently in baringo central we might be having only one vet nary officer who is available to move round the five wards and I think it's a similar situation to other counties it's important that in future during employment they make it a priority so that they can employ extension officers especiallyvet nary officers because we are losing a lot of animals, diseases is causing a lot of havoc to our animals and the private vet officers are very expensive.

About the employment of ECDE teachers and through natural attrition and retirement we don't have a lot of teachers and I am happy that the budget committee have noted so that we can employ the CEDE teachers in the near future.

Mr. Speaker there is a point number eight, officers who are changing projects without consultation should take responsibility because these is a serious problem because you can imagine a contractors working on a project for eight months then when his project is ready for payment there is no money because the project was pulled in a certain supplementary budget and this supplementary like for this on it is on may they will take about three weeks to feed on the IFMIS are they going to implement on the projects.

Mr. Speaker project for 2020/2021 none has gone through procurement, this will derail again. Maybe they are going to award but implementing will be an issue. Mr. Speaker I taught there was no hurry in the shortage of revenue, they could have shifted to the next financial year so that they can correct the error but let us pass this document so that they can implement immediately because if we postponed we are going to suffer because project implementation is going to be derailed otherwise I support and we should be having a clear policy on supplementary.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon Kebut Hon. Tarus member of Sacho.

Hon. Tarus: Thank you Mr. Speaker for giving me this opportunity to contribute to this motion and I want to thank the Hon. members because in the morning we had a big problem where we were only a handful and we could not transact business and therefore at this point I want to urge the party leadership to take the issues of this House seriously because you will realize that the front seats are normally empty and when the leadership is not available then you will expect the ship to get lost.

Mr. Speaker you will realize that over the years projects are being removed during the supplementary budget but they are not returned back in subsequent budget and this is a disservice to Hon. Members because when public participation is being done they put money then in the supplementary budget they are removed like in my ward I have three that have been removed and these are ward fund as much as the Chair has said that it will be returned bank in the next budget, it will take time before they are implemented meaning that it will have negative effects on the elected members of those particular wards.

On the flagship projects Mr. Speaker you will realize that the distribution of these projects has a problem because members who seem to be hard and harsh have their projects but wards with members that don't fight for themselves don't get this flagship projects and I am very to say that some of them go to wards of members of the budget committee and I have in that particular document page 195 and 194, 23, and 29 you will realize that one ward is having flagship project of about 14M and mine I have zero. The other issue is about the agricultural distortion...

(Loud consultations)

It's in the main document page 195 and 195. I have second supplementary budget estimates for 2021, 19th may. Sorry it is not page but item number 194 and 195, 23 and 29. Mr. Speaker this is very disappointing because you cannot give one ward 9 million and another zero.

Mr. Speaker on the issue of seedlings and livestock that we distribute in these County you will realize that most of these are flagship and you will realize that most of these distribution... as the member of Churo/Amaya as stated they are distributed to a few wards we need to be fair and that being the case in the next financial year we need to make sure that we have some balance because if we continue at this rate we may have a fight over the same.

On ECDE teacher's and technical staff as it has been mention you will realize that in transport and infrastructure, agriculture and livestock and education. The staffs are retiring and others are exiting because of other reasons, the question is why we should have people exiting and there is no replacement yet there is a budget on the same. We should have replacement in these departments so that we can have things moving.

Mr. Speaker on ECDE teachers we have recommended as a committee that there should be recruitment for new ECDE centers especially in Tiaty where the ECDE centers are very far from each other and there are those facilities which have been put up recently we need to equip them

and get staff for them and the Chair to the budget committee should look into that in the next budget which is due in June.

The other issue Mr. Speaker is reduction of development money to fund operations and maintenance in these County, in the 2020/2021 budget we had projects that were supposed to be done and non has been done and the money for operation and maintenance is exhausted what is these money used or because in a serious government and a serious institution the work done goes hand in hand with the expenditure on recurrent and operations for example you have sent one of your workers to go to the farm to do some digging if he has not done even if he uses fare to go to the farm and back then he should not even get a shilling the same apply to our departments because if there is no work done the money for operation and maintenance should not be used.

The other issue is about the bursary and a member has said it is not in the budget but if you look at it properly on page 27 you will realize that it is there and you will realize in 2020/2021 it is not there and I would like to urge the Chairman in the next budget make sure that it is included because it has been done yearly as much as the Corona virus came and disrupted everything we need the money to help our children who are in school.

Finally, Mr. Speaker it's about the certification I don't want to dwell on how many signed but the document I have the document ion certification is missing but we need to be serious on these because once it comes to the floor it becomes a document for this House, and for us to own it should have proper certification, thank you Mr. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Tarus, Hon. Lotela member of Silale and members for the sake of the session we should observe time.

Hon. Lotela: Thank you Mr. Speaker I stand to give my contribution on the second supplementary budget, it is obvious and the Chair has confirmed from the report that the main reason for this supplementary is to *fuliza* the main budget. Mr. Speaker the committee gave the reasons for the supplementary budget and in the introduction they gave the reason why the treasury is bringing it. The first one is they want to reduce the local revenue which the committee refuse at this stage, the other one which they have refused to admit is allocation of funds to ongoing projects which were suspended during the first supplementary budget. Mr. Speaker this committee is very peculiar, from the composition, how they operate, how they reason including my friend who gave baseless reasons why some members did not sign.

Mr. Speaker we will all agree to use our main budget on this, like in Silale they have decided to suspend project deliberately and move it to the main budget, Mr. Speaker for the main budget that we are preparing I will be losing about 8M this means that we have *fuliza* the main budget I think the majority leader you are in agreement with me. Mr. Speaker this is not the treasury but the negative thinking of the committee...

The Deputy Speaker (Hon. Cheboiwo): Hon. Tuwit Hon. Lotela allow Hon. Tuwit to express himself.

Hon. Tuwit: Mr. Speaker is the Hon. member in order to stand and mock the committee can he substantiate what he is saying, he is misleading the House,

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela continue.

Hon. Lotela: Mr. Speaker they are very uncomfortable, Mr. Speaker.

(Loud consultation)

The Deputy Speaker (Hon. Cheboiwo): Hon. Parkei what is it?

(Loud consultations)

Hon. Lotela: Mr. Speaker you have violated the standing order, two standing orders
Consecutively... read the standing orders...

The Deputy Speaker (Hon. Cheboiwo): Order let Hon. Lotela continue.

Hon. Lotela: Thank you Mr. Speaker I needed that protection. You can see they are very uncomfortable.

(Laughter)

The Deputy Speaker (Hon. Cheboiwo): Hon. Parkei what is it.

Hon. Lotela: Mr. Speaker he is also standing on a point of order.

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela let Hon. Parkei express his disappointment then you can continue.

Hon. Parkei: Mr. Speaker Sir, I stand on a point of order. Is the Member of Silale in order to allude that the Members of Budget and Appropriations Committee are using the rotten minds, is that the language for this House Mr. Speaker?

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela if you really said that way you can just withdraw and apologize.

Hon. Lotela: Mr. Speaker I was not aware that you have a problem with hearing. I have not been informed because I talked while addressing you so meaning...

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela did you say it or not?

Hon. Lotela: Mr. Speaker I said and let them listen, this is a debate and if they don't want me to debate on this report Mr. Speaker let the Chair and the committee explain to me that when you collapse a program of Nakpurat water pan what is the reason behind? That they can say, we are collapsing it and the committee accepts. When I went to Kisumu they told me to go to Mr. Chepsoi and when you go to Mr. Chepsoi he asks you what is the problem.

When you raise your problem to him he again says that he will take it to the committee level, and when you go to the committee they tell you to go out so that they can do their skipping. Mr. Speaker that mentality of going to the committees and proposing projects to be collapsed for me is a very lazy way of engaging with the treasury.

Mr. Speaker this committee is not doing good to us, it is not doing good to me neither does it to the people of Silale, when you suspended the project in the first supplementary and suspend another project again in the second supplementary and they are telling me to take it to the main budget which means I have not done two projects the whole year.

That is the rational, now which kind of thinking is that, that is what I am saying that this committee has a problem Mr. Speaker. I understand their composition, the background of the technical way of the budget process I understand that it is only safe for the Chair and the ViWe all know that as a House but we have accepted to live that way...

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela can you just contribute smoothly without...

Hon. Lotela: Mr. Speaker you will not force me to go the way Members want, you also have to know that we debate whether you like it or not. Mr. Speaker that is the position and you don't select what you want to hear. You just listen to what I have to say.

Mr. Speaker that is now the problem, they have suspended Riongo dispensary laboratory that has reached a lintel and the committee have accepted a proposal that it is on BQ but it is on lintel but they have now suspended Kshs. 1 million for the laboratory.

Mr. Speaker and the committee are telling me to take it to the main budget which means the whole year...

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela you were there when we were meeting and you didn't express those concerns; you are not being fair to the committee.

Hon. Lotela: Mr. Speaker can you stop supporting the committee. What is the information Hon. Parkei.

Hon. Lotela: I don't need the information Mr. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Yes Hon. Parkei.

Hon. Parkei: Thank you Mr. Speaker. Today we will say the truth and let Hon. Lotela today sacrifice himself in front of this House. First of all he is saying which hospital, the hospital that he is saying can he substantiate in this House that who is the contractor of that dispensary because that dispensary up to now has not been given out but he knows what he has done. Can you produce in this House who is the contractor of that dispensary now?

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela other issues can be aired outside this session.

Hon. Lotela: Mr. Speaker another one is that Nisorot dispensary was allocated a budget of Kshs. 1.5 million to be fenced and it has been awarded, the contractor has supplied the materials to the ground but now the department, the treasury has now proposed that that project to be suspended until we put it at the main budget.

Which means that I will now not do the fencing or the people of Silale will not enjoy the services because for the whole year we have not used that money? We have been denied and the committee has forced the people of Silale to use the future budget on the current meaning we are forwarding problems.

Mr. Speaker the committee also removed Kshs. 500,000 we had allocated to repair doors and windows of Toplen but the committee refused and said that we take it to the main budget. Now the nurse of that place will not sleep at the hospital the doors are not in a good state. His belongings have been stolen so we wanted to repair windows and doors.

Mr. Speaker it will take one year for this Government by endorsement of this committee and that is what Hon. Aengwo wants me to do that accept that you will repair Toplen dispensary, nurse House and the main dispensary it will take one year for me...

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela you should be winding up.

Hon. Lotela: So Mr. Speaker, they have not done that. Another one is that, in the first supplementary if you can recall the past supplementary we used to be told there is over commitment there is deficit but this one is not saying is not saying that there is over payment or anything else, we had the budget clean and you cannot use the main budget to pay rollovers.

You will just be creating problems on top of other problems. So the department from the way our Ward projects have been organized is that we have been denied not to use the vote that we have budgeted so that the treasury can say that the votes that have not been used and it is likely that it is not going to be used to be suspended now, that is the reason.

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela you should be winding up, I know you were given the chance to raise your issues by the committee.

Hon. Lotela: Now am I raising someone else's issues?

The Deputy Speaker (Hon. Cheboiwo): Just wind up.

Hon. Lotela: Hon. Speaker I beg you to give me time, you arbitrate...

The Deputy Speaker (Hon. Cheboiwo): Because of time you should be winding up.

Hon. Lotela: Mr. Speaker, RLMF every Ward was given and the other budget RLMF of Kshs. 5 million each Ward. But I tried to ask the Chair because obviously I can't ask the committee because they don't understand, I asked the Chair and maybe the deputy to give me the reason why I was given Kshs. 1.46 million RLMF and they were not in a position to answer.

The Deputy Speaker (Hon. Cheboiwo): Hon. Rono what is it.

Hon. Rono: Thank you Mr. Speaker. My concern is that Hon. Lotela has stood here and you have been silent, he is saying in the committee of budget the only workable Members who can really understand and really work on this budget are two, the Chair and the Vice Chair.

Mr. Speaker I want you to confirm to me that if only two Members are able to work in this budget committee then that is not a quorum. I want you with your indulgence to give direction if this committee is in that state of being unable to perform.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Rono, Hon. Lotela you will not be provoking Members you were there and we saw all of them present. Proceed.

Hon. Lotela: Hon. Speaker I hope that the people that we are working with are Hon. Members and are professionals that when they get an information they don't get woken up but they get excited and learn from what have been said.

But when you see Members going physical like what my friend here is saying, I am going to follow what Hon. Selemoi did but we have done handshake with Hon. Selemoi.

The Deputy Speaker (Hon. Cheboiwo): Wind up Hon. Lotela doesn't start other issues.

Hon. Lotela: Lastly Mr. Speaker, the recurrent expenditure is almost a hundred percent used and the only wise and professional and even logical thing that the committee could have done is to pin the department that this recurrent expenditure that has been exhausted what did you use for?

And if that is the case Mr. Speaker they have that discussion to cut recurrent expenditure by half, that is the role of the committee and that is the role of the parliament. But here my so called good friends they will always take money for recurrent and make sure that recurrent expenditure is always over 40% in the main budget.

Mr. Speaker as I close I have tracked my development budget that I get from Baringo County. This year the committee allocated and every Ward has gotten Kshs. 25 million, if you see at the end of the year what has been used for development in the entire budget of Kshs. 25 million is

around Kshs. 14 million because the rest have been taken during the supplementary budget that is it.

Another fallacy that the Chair need to expose is that we are saying development budget is 30% during supplementary budget we reduce to almost 24%, the second supplementary budget we reduce to 24% now we go to the main budget and at the end of the day when we analyze the performance of the budgets how much have we committed to be for development at the end of the year?

That is a fact Mr. Speaker and we have confirmed it, let me not use anybody else I am using my Ward that this is year we are saying Kshs. 14 million, second supplementary budget it becomes Kshs.10 million and that way so we are on a reducing spree. So Mr. Speaker there is an issue of water companies that has become a problem and the two towns that we have.

They have an avenue of raising revenue, if you see Chemususu dam they have a potential of raising revenue but the budget committee have not given them a chance to have a director and the people who can help raise those revenues.

Mr. Speaker they have requested that...

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela you should be winging up and I think the initiation of every project is the department and not the committee.

Hon. Lotela: Mr. Speaker when you see the town administrator there are even some seed money that is a donor money but they were asking the board to be established and a bit of funds but they were denied and now there is also a paradox that we are saying we have a short fall of our revenue target and not even concerned of our budgets, our revenue streams. That is why I am saying that there is a serious problem of the committee and my friend Hon. Aengwo and the Chair and the vice Chair... I want to help them Mr. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Wind up Hon. Lotela I am giving you one minute.

Hon. Lotela: The more you make noise the longer I will be here.

(Loud consultations)

The Deputy Speaker (Hon. Cheboiwo): Hon. Lotela can you respect other Members.

Hon. Lotela: Mr. Speaker I do not want to contradict the Hon. Members but to the Chair Hon. Aengwo I am going to rubberstamp as usual that you have removed my two projects and let me hope that you will include in the main budget and I am supporting the motion. Thank you.

The Deputy Speaker (Hon. Cheboiwo): Hon. Minority leader take the notes so that we can save time for the bill in the afternoon.

Hon. Limo (Minority Leader): Thank you Mr. Speaker. You see when you don't take charge as the Speaker in this House Hon. Lotela will talk for even three hours. We were patiently seated and I think on moderation of time you gave a lot of air time to Hon. Lotela.

Mr. Speaker that is not fair when one Member consumes over 40 minutes and you want to tell Hon. Lokales to take only five minutes. Not unless Hon. Lotela has the immunity in this House to speak as he wishes.

Mr. Speaker we are all Members of different committees and we have quorum, for any Membership there is quorum like what I read here, five Members signed against nine and that is

a quorum it doesn't matter how many were they. If they were three or four we would have raised a lot of issues but with this one Mr. Speaker five Members that is enough.

The other Members have not said that they are not in support only that I have a problem with my friend Hon. Lawi who is the majority leader; he is the leader of the Government business in this House you should be even telling the Chairman to wait you until you sign. You should not be seen sometimes missing in such... so that is a personal problem and I wanted to correct him.

Mr. Speaker, supplementary have been in this House, this is not the first supplementary we are discussing there are gaps just like other supplementary and the work of the committee, what I read the work of the committee they waited from the CEC Finance and economic planning.

In their introduction they raised issues that the CEC failed to provide the PBB (Programme Based Budgeting), he failed to provide the PFM they raised and if this was the case I think there is a problem of competence with the CEC finance and economic planning.

The committee are not preparing budget their work is to go and underling this budget and see some gaps so myself I see like the CEC finance and economic planning Mr. Enoch Keston is not able to run such a big department, secondly Mr. Speaker I just want to highlight where I saw some gaps so that we may not spend a lot of time discussing unnecessary issues.

Mr. Speaker there are issues like for Wards, and I think these are issues we can rectify within the department here the Chair himself knows how we have been doing if there is a project in your ward which you see that maybe they did not capture well we correct it here.

Mr. Speaker we will pass this thing and say that we are passing it with amendment and we do as usual than going all those circles Mr. Speaker. I want to go to recommendation number nine but before that if you read legal basis 28, 29 and 30 on legal basis of the committee findings; there is an issue on 26 reallocations of vote heads by the department to cater for emerging issues there was a general movement of funds as a department or within departments to ...

Mr. Speaker I think this is malice, I read malice here, this is where the Governor wants to give himself a lot of money in his office and they are using this issue of re allocation of vote heads. Hon. Selemoi pointed on the same.

There was a plan to ensure that some money be collected from departments, Mr. Speaker we are interacting with the CECs and the Cos and some of them have lamented severally when we meet over a cup of tea within this town.

They say that you plan this thing only to find it has been moved from here to there, why are we becoming part of the process that makes this County and the Governor himself look corrupt? I think this is one of the numbers number 26 I don't like how it has been written it is giving a lot of time to the Governor to consume this money.

Then 28, 29 and 30 I mentioned earlier on the CEC competence now Hon. Lotela I will not agree on that. Committee recommendations; get this one Mr. Speaker that the County treasury to ensure projects which were subjected to reduction in the making of this supplementary budget be transferred to FY 2021 and 2022.

Mr. Speaker when you see budget being transferred from 2018 to 2019 and 2019 to 2020 , 2020 to 2021 and now they have finally said some of this projects will be subjected to transfer from FY 2020/2021 in that procedure now this is total I will call it total roll over.

With this number nine only it will lead to total rollover, most of this projects have not been implemented up to date and when you give a room of saying it will be done between 2021 you have already rolled over these money and therefore Mr. Speaker let us wait a bombshell.

Baringo County will almost roll over a hundred percent of its financial year 2020/2021 to 2021/2022. Therefore it will come back to these Hon. Members not excluding the Chair of this committee.

He will face the music just like how Hon. Lokales will face and any other Member. The community are looking on us, we are here to provide a solution but when we become part of the problem and we even create further problems I think we are not bringing any solution to this supplementary and therefore Mr. Speaker I want to call upon the Members of budget that as much as you want to make it look good to the Governor and whoever can we also see if it will be good to you as an elected Member of this House.

Mr. Speaker the back stops at us, you will be the one to carry the blame and everything, Mr. Speaker I am winding up on two issues, one, issue of recruitment of ECDE teachers and Chair please I got the recommendation I read, the recommendation in fact is giving the department a lot of hurry to immediately we pass this document to do this and this I think there is a lot of issues with the department.

I was there, Tirioko had 31 deficit Members who deserted who resigned and those who died. But the number was told there by the director is 6 if their report indicates that Tirioko is lacking 31 teachers who were employed this are not new these are those who were in the system they were earning money and because of one reason or the other they get out of the service.

Mr. Speaker you want to tell me they were doing only replacements of 6 out of 31 ECDEs, tell me Chair are we helping this community? This is the community which you are saying people are illiterate, people are bandits and you want to ensure you marginalize the same community forever.

These are the children, if they don't have a teacher they will go and practice banditry, yes but because you created the problem you will also be the victims of the same. The same boys we are not teaching now we will not employ them, teachers will come and kill you; yes this is the truth of the matter. Replace 6 out of 31 and what about the 25 ECDs who will teach them?

Finally, flagship projects, Chair I think in the next budget I am not talking about this one, before we agree on the flagship projects we must ensure it is well distributed within this sub-counties and Wards the issue of taking all projects to Ravine, my friend this time round we may not pass that budget if all the projects will go to Ravine and I am saying this one without fearing everybody including the majority leader who is here.

We have eyes and we see, when you are launching dairy cows when you are launching coolant, big roads and all of us here we don't launch anything, are we blind? And these are not Ward projects, we know what we share with you we know what we share together but what of other things including all the machines the County has taken to your Ward, mumechukua huko Ravine yote and you want to impeach the CEC instead of the Governor hii ni ujinga. Asante.

(Laughter)

The Deputy Speaker (Hon. Cheboiwo): Thank you. I think on the issue of education the committee on education will tackle it. The majority leader then the Chair can reply. Yes Hon. Chief Whip on behalf of the Majority Leader.

Hon. Chepsongol: Thank you Mr. Speaker. I am seeing Hon. Lotela whispering to the Chairman asking his projects that he hasn't seen yet he was quarrelling with us here. I stand to support this second supplementary budget and I thank my fellow Members of this committee for the well done job and I want to remind Hon. Members that we were in Kisumu all and the committee requested all the elected Members to come and verify their projects Mr. Speaker.

When I see Hon. Lotela talking as if he was not there I sympathize with him and I want to remind this Hon. House that I was there with the Hon. Lotela and this are the songs Lotela used to be singing and you know the former Speaker Hon. Kamket had a rough time on this gentlemen so I remember one time Hon. Speaker who is the MP of Tiaty Hon. Kamket chased this guy and I want you Mr. Speaker when he starts to do what he did here be watchful, he uses a lot of ...

Mr. Speaker I think you have heard from Members but I want to tell you that we are used to him but next time be careful on this Member. Mr. Speaker I urge the Hon. Members that when you bring a certain information to this Hon. House it is so good that we discuss in a sober way because this is what we have been sent by the people of Baringo on representing them.

We don't have to joke or just meander on issues pertaining our people, Mr. Speaker there are some projects that were being used as example that in Bartabwa some projects were missing but that was the problem of the department, the department gave out the information to the treasury telling them that the project is not on site and the money can be moved because of the issue of revenue collection.

So I think what happened.. Mr. Speaker I thank the Members for what the Chair has already read here that when you want to change any project, it is so good for us to write and sign all these projects like the ones Hon. Lotela raised, he is the one who is the beneficiary of all this issues because he keeps on maybe calling the Chair telling him to change some projects and when the projects are changed he then comes thereafter and complaining that the money has been moved.

So we have to be careful, as the Members of budget we are not going to allow this gentleman to do what he is doing. Mr. Speaker I support the motion.

The Deputy Speaker (Hon. Cheboiwo): Thank you. Yes Hon. Aengwo.

Hon. Aengwo: Thank you Mr. Speaker Sir, I beg to reply. I must take this time to applaud Members..

(Loud consultations)

The Deputy Speaker (Hon. Cheboiwo): Order Members just consult in low tones.

Hon. Aengwo: I take this opportunity to applaud Members for supporting this motion, however I have some few issues I want to give feedback. Mr. Speaker Sir, on project number 195 and 194 which all of them are within Kabarnet town, one in Kapropita Ward and the other one in Kabarnet Ward.

Mr. Speaker Sir I want to tell the Hon. Member for Sacho Ward that it is not... you know he gave a blanket statement that most of the flagship projects are given to budget committee, this one the two roads which are the Seguton road and Kaprogonya road all of them are in Kabarnet.

I have no flagship project in my Ward so therefore it is misleading to say that most projects go to the wards of the budget committee members. Mr. Speaker on fencing of the plot I think we have two things here; we have what we call the budget sum and contract sum and we also have the

transport office the officers who normally prepare the BQs. So it should not alarm the House because we will always give the right figures.

Mr. Speaker on Ward administrators I also don't have a Ward administrator and I therefore the labor committee should take up the matter to actually go further to advice the public service board on the employment of the ward administrators so that we get competent ward administrators.

Mr. Speaker on the bursaries, I think my friend Hon. Selemoi have seen it, it is there. On the ECD issue the committee and I think you have given n direction Mr. Speaker that they take up the matter.

Otherwise when we were in Kisumu Mr. Speaker Sir we invited all the ward representatives to come and peruse through their projects so that if there is any amendment it is done, so therefore I think sometimes we don't follow instructions and we like so much coming here to showcase on debate issues.

Mr. Speaker Sir on all the nine committee memebtrs were present in Kisumu despite having other report writing meetings. The only issue is the signing, because we were also on recess.

Mr. Speaker Sir on sectorial I think we are also missing a point as ward res and also as a House because some of these issues are in the departments. I wonder what we are doing when we are here, some of the issues that we raised are supposed to be in the departments and if you fail to solve in the department level we also have the sectorial committees.

We have so many issues in livestock, Hon. Paul Serem, issues even on Tebingar cattle dip and others they are supposed to raise even in the committee stage of the House before it is compiled and brought to the budget committee so I urge you Members that let us not wait until ...

I am seeing a perception Mr. Speaker that some of the Members they see the budget committee as the overall and makes all the budgets Mr. Speaker. On the skewed allocation of projects on the flagship projects to the wards Mr. Speaker Sir I conquer with Hon. Minority leader that some of these projects are skewed to where the CECs are coming from.

So we are going to look into it that most of the flagship projects should be distributed to all the 30 wards and that is what we did to even RLMF, we will be very keen, I just want the Members to support one another and we work together so that we don't come and blame one another here. Otherwise I will stop there and urge this Honorable House to pass this motion. Thank you.

(Question put and agreed to)

(Applause)

The Deputy Speaker (Hon. Cheboiwo): Next.

BILL

First Reading

THE BARINGO COUNTY SUPPLEMENTARY APPROPRIATION (NO. 02) BILL, 2021 (BARINGO COUNTY ASSEMBLY BILL NO: 03 OF 2021)

(Order of the First Reading read – Read the First Time – Ordered to be read the Second time today art 2:30pm)

COMMUNICATION FROM THE CHAIR

The Deputy Speaker (Hon. Cheboiwo): Okay Members as I said earlier the Majority Leader should always be present and in his absentia he should contact his Deputy so that he can take over in the absence of the Deputy Majority Leader then one of the Member from the Government side should take charge, this also applies to the minority part of the House that in the absence of the Minority leader the Deputy should be there so that the House can run well also the Whips should do the same. For the Chairpersons of the committees you will also consult your clerks so that whenever you have questions you can address them, as we near the elections we should also plan ourselves so that we don't lose our work.

ADJOURNMENT

Order Members, this House stands adjourned until today the 19th of May 2021 at 2.30 pm.

The House rose at 1.48PM.