

**COUNTY GOVERNMENT OF KISUMU**



**COUNTY ASSEMBLY OF KISUMU**

**THE HANSARD**

*Official Report*

**SPECIAL SITTING**

*[Convened Vide Gazette Notice No. 9456 of 11<sup>th</sup> July, 2025]*

**THIRD ASSEMBLY – FOURTH SESSION**

**Monday, 14<sup>th</sup> July, 2025**

**House met in the Main Chamber at 09:00 a.m.**

**(The Speaker (Hon. Elisha Jack Oraro) in the Chair)**

**PRAYER**

**The Speaker** (Hon. Oraro): Clerk, kindly take us through the Order Paper of the day.

**The Speaker** (Hon. Oraro): Next order!!

**COMMUNICATION FROM THE CHAIR**

CONVENING OF THE ASSEMBLY FOR SPECIAL SITTING VIDE GAZZETTE NOTICE  
NO. 9456 DATED 11<sup>TH</sup> JULY, 2025

**The Speaker** (Hon. Oraro): Honourable Millicent Omuya, please take your seat? Honourable members, I rise to bring to your attention on a matter of significant importance concerning today's Special Sitting.

Honourable members, as you may recall, during the sitting of Thursday, 03rd July 2025, I did communicate that you may be called for a Special Sitting. Although the House adjourned for recess on 03rd July 2025, as per Order No. 27 (1) and 27 (4) of the Kisumu county Assembly

Standing Orders, I read that whenever, during a session of a County Assembly that's adjourned, whether or not a day has been appointed for the next sitting, the Speaker may, on the request of the Leader of the Minority Party, appoint a day for a Special Sitting of a County Assembly. The Speaker shall give notice in the Kenya Gazette, to notify the members of the place, dates, and time appointed for the special sitting of the County Assembly.

Honourable members, pursuant to the provisions of the County Assembly, by Gazette Notice No. 9456, dated Friday, 11th July 2025, notified Members and the General Public that today, Monday, 14th July 2025, had been appointed as a day for a Special Sitting in the Assembly, scheduled to commence at 09:00 a.m. The primary purpose of this Special Sitting, as you had been earlier informed, is to consider the extension of the Kisumu County Education Fund for a period of one year ending July 2026. So, I communicate.

**The Speaker** (Hon. Oraro): Next order!!

## MOTION

APPROVAL OF EXTENSION OF THE OPERATIONAL MANDATE OF THE KISUMU  
COUNTY EDUCATION FUND

BY

HON. SETH OKUMU, MCA, EAST SEME

(CHAIRPERSON, EDUCATION, TECHNICAL TRAINING INNOVATION AND SOCIAL  
SERVICES COMMITTEE)

**The Speaker** (Hon. Oraro): Honourable Seth Okumu.

**Hon. Okumu** (MCA, East Seme): Thank you so much, Honourable Speaker and Honourable Members. Allow me to move a motion for the Extension of the Operational Mandate of the Kisumu County Education Fund, a very important social protection fund under the Department of Education, Technical training, Innovation and Social Services.

Honorable members, AWARE THAT, the Kisumu County Education Fund, hereinafter referred to as the fund, was duly established in Section 3 of the Kisumu County Education Fund Act 2014 with the primary objective of providing funds to be used for granting bursaries and assist residents to pursue education in such a recognized institution.

Honourable members, FURTHER AWARE THAT, the Regulation 197 (1), (i) of the Public Finance Management County Government Regulation 2015, Legal Notice 35 of 2015, stipulates that the initial approval for the establishment of a County Public Fund shall be for a minimum period of 10 years, beyond which period the express approval of the County Executive

Committee and the County Assembly are mandatorily required for the continued existence and operation.

Honourable members, NOTING WITH CONCERN THAT, the initial 10-year period of approval of the Kisumu County Education Fund, as prescribed by the aforementioned Regulation 197 (1) (i), has now expired, thereby occasioning the necessity for formal and legally compliant reaffirmation and extension of the operational mandate of this Honourable House.

Mr. Speaker and Honourable members, RECOGNIZING the formal request submitted by the County Executive Committee to this Honourable House on 25 June 2025, seeking an extension of the operational life of the fund for a further period of one year, which request underscores the indispensable and continued role of the fund in advancing additional equity and opportunity across Kisumu County.

Honourable members, APPRECIATING the cessation of the fund's operation consequent upon the expiry of the initial approval period would inevitably result in severe and detrimental impacts upon ongoing educational support initiatives and the legitimate expectation of the numerous deserving beneficiaries within the county.

Honourable members, COGNIZANT of the constitutional principles of public finance, including openness, accountability, and the prudent and responsible use of public money, as enshrined in Article 201 of the Constitution of Kenya 2010, and further elaborated in the Public Finance Management Act 2012 and its subsidiary legislation.

NOW THEREFORE BE IT RESOLVED AND PRAYED THAT;

This Honourable House resolves,

1. TO AUTHORIZE pursuant to and in strict compliance with Regulation 197 Part 1 (1) of the Public Finance Management County Government Regulation 2015, the extension of the operational mandate of the Kisumu County Educational Fund, established under the Kisumu County Education Fund Act 2014, for a further period of one year, commencing on the date of the adoption of this motion and ending on the 14th of July 2026, and
2. TO DIRECT the County Executive Committee Member responsible for Education, Technical Training, innovation and Social Services in conjunction with the County Executive Committee Member responsible for Finance, Economic Planning and ICT Services to undertake all necessary administrative, financial, and legal measures to ensure the seamless and effective continuity of the fund's operation during the extended period.
3. TO FURTHER DIRECT that the County Executive Committee to, within six months of the adoption of this motion, present to the Honorable House a comprehensive proposal for long-term legislative framework or amendments to the Kisumu County Education Fund Act 2014, designed to provide for the sustainable and perpetual operations of the

fund, thereby making it obvious the need for recurrent short-term extensions and ensuring greater legal certainty and stability.

4. TO MANDATE the County Executive Committee Member responsible for Finance to provide quarterly reports to this Honourable House on the financial and operational performance of the Kisumu County Education Fund during the extended period, demonstrating adherence to the principle of prudent financial management and achievement of the fund's objective. Thank you. I want to ask the Honourable James Omollo to second the motion. Thank you.

**The Speaker** (Hon. Oraro): Honourable James Omollo.

**Hon. Omollo** (MCA, West Nyakach): Thank you, Mr. Speaker. I beg to second the motion as ably put by my Chairperson, Honourable Seth Okumu. It is high time we do this so that our children who are in high school and college can get this fund on time. And Mr. Speaker, giving it a life for one year would ensure that there is seamless transition so that we do another motion or Act by then. We had passed the budget recently, and I believe that there are funds we appropriated for the same. And if this is done at this time, it will allow the expenditure of the same for the purposes intended.

Mr. Speaker, this fund is fundamental to our people, and everyone is looking towards us to do the necessary, and I beg this House that we go that way and make it operational. Thank you, Mr. Speaker. I second.

**The Speaker** (Hon. Oraro): Honourable members, now that the motion Approval of Extension of the Operational Mandate of the Kisumu County Education Fund has been moved and seconded, as per our Standing Orders, I want to propose that the motion is open for debate.

**The Speaker** (Hon. Oraro): Yes, Honourable Adegga.

**Hon. Adegga** (MCA, Kajulu): Thank you, Mr. Speaker, for giving me this opportunity to support the motion before the House. I fully support the motion to extend the Bursary Fund as it will provide essential financial assistance to students in need, helping them to continue with their education without unnecessary hardship.

Mr. Speaker, if you see, the Constituency Development Fund (CDF) which is managed by the National Assembly has already disbursed their Bursary Funds, and the County is still dragging behind on the same, and some of the most of the needy students are at home. They were sent back because of the same. I support the motion for the extension. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable Pamela Oyoo.

**Hon. Oyoo** (MCA, Migosi): Thank you Mr. Speaker. I also stand to support the motion. Many children are still at home, especially those children that were awarded a Scholarship. Many of

them have been sent home, because of this Act, I know the money will be sent to those schools. Mr. Speaker, I stand to support.

**The Speaker** (Hon. Oraro): Honourable James Were.

**Hon. Were** (MCA, Nyalenda “B”): Thank you Mr. Speaker. I also rise to support the motion. Mr. Speaker, there is need for an extension. Mr. Speaker, we have got several reasons for the extension. One, is for the continuity of support to the beneficiaries.

Mr. Speaker, we are aware that we gave out funds for the needy and bright students who wanted to benefit from this fund way back in December. And up to now, Mr. Speaker, if we extend this, it will be able to ensure that they benefit directly. Mr. Speaker, delayed disbursement and utilization, if we extend this law to enable this process to take place, we will ensure that there is timely disbursement of this fund. Mr. Speaker, there is also need for an alignment with the budget cycle. Mr. Speaker, we recently passed the budget and included the fund.

And if we extend this, then that will be made able. Mr. Speaker, as we do this, we also need to make a raft of recommendations, Mr. Speaker. this is because, we know this happened because somebody slept on his job.

We must also pinpoint this. As we extend on the legislation, then somebody also needs to take responsibility so that this doesn't happen again. It is the sole responsibility of the County Executive Committee Member Education, Technical Training, Innovation and Social Services to ensure that there is legal compliance.

Mr. Speaker, the County Executive Committee Member Education, Technical Training, Innovation and Social Services has to check that all the legal provision of all the funds that we have under his department is updated. And the Assembly is also kept abreast. Mr. Speaker, after this then, that needs to be pointed out so that the County Executive Committee Member knows that this is happening because he slept on his job. Otherwise, Mr. Speaker, I beg to support. Thank you.

**The Speaker** (Hon. Oraro): Honourable Millicent Omuya.

**Hon. Omuya** (MCA, North Seme): Thank you Mr. Speaker. I am also rising to add my voice in supporting the motion. First, it is really going to help us because as we speak, in our community, we don't even have a face. Why are we not having a face? The forms were taken and filled in December. It's almost a year. In fact, when a voter tells you that you've denied me bursary, it's difficult to deny.

This is because, for sure, we've denied them a full year after waiting and doing a list and submitting. We've been really embarrassed. I'm happy that finally we are going to extend the life of this policy so that we disburse the bursary.

Mr. Speaker, last time when we were going through our budget, part of our money was taken somewhere that still today we've not been explained to. I am still requesting to know, now that we have the Kshs 300 million plus something, are there possibilities of getting that Kshs 100 million that was taken somewhere that we don't know? This is because we also need that Kshs 100 million.

Mr. Speaker, apart from that, I would wish that we work with timelines. Now that we are passing this motion, when the Chairperson of this House Committee will be responding, I would like to hear from him. When is the county going to disburse the bursary? So, that we don't go back to our people and start explaining things that we don't know. Respond and inform this House, I want to leave this place going home. In fact, after this, I'm going back home. And I should be in a position to inform my people that you are getting your bursaries from tomorrow, Tuesday, Thursday, or Monday. Thank you. I support.

**The Speaker** (Hon. Oraro): Honourable Oraro.

**Hon. Oraro** (MCA, Kolwa Central): Thank you, Mr. Speaker, for giving me the opportunity to speak on this day. Where we have a special sitting arising from the Gazette Notice, with the intention for us to extend the operation or mandates of the Kisumu County Education Fund.

Mr. Speaker, I'll borrow from what Honourable Were, on what the member has just said. That the County Executive Committee Member or the County Attorney should always be in a position to look at some of the funds created within the County. And even give out notice of some of the funds that are almost reaching their expiry time.

Mr. Speaker, if this was done on time then, by now something will have been done in this Honorable Assembly. Mr. Speaker, I'll not deviate from what my colleagues have said because the issue of bursaries is so dear to many of the people we represent. And the majority, being that this was Second Term when pupils are still in school; they were actually looking for that money so that their children could go to school. And you realize that at the end of the day, something so small that could have been acted upon is now delaying the process.

Mr. Speaker, for that reason, we really want to let the person in charge to wake up, and especially the County Attorney. Let him wake up and look at some of the Acts that were passed in this Assembly. Some that are approaching expiry, especially the fund accounts, so that he can advise the county well.

Mr. Speaker, if that was done on time, then by today, no member will sit in this House discussing such a motion. So, for that reason, Mr. Speaker, I know it was a legal requirement that the voice of the representative of this Assembly to be heard, and to be presented before the Controller of Budget so that the money could be released. I want to voice my opinion on the same, that as a member of this Assembly, it is so timely.

Our people are really waiting for this Bursary Fund. We have talked to many schools, we have written letters to these same schools, to all students, to go back home. And we expect money to be paid any time as early as today or tomorrow.

So, Mr. Speaker, I support the motion, and I implore other members, we support the motion, so that by the end of the day, the approved motion is acted upon, so that our children, the people we represent, can get money so that they go to school. I support the motion.

**The Speaker** (Hon. Oraro): Honourable Mildred Ajumbo.

**Hon. Ajumbo** (MCA, Central Seme): Thank you, Mr. Speaker, for allowing me to stand and support the motion. The Extension of the Education Fund that was enacted in this Assembly in 2014, which is 10 years since then, is now is expired, was supposed to be 2024, and we are discussing this extension in 2025 July, and it is an emergency. We are discussing it as an emergency, something that just came out of the blues. Yet, 10 years down the line, it expired last year. Mr. Speaker, it's very embarrassing that this county has an office that is supposed to be looking at the expiry of certain acts and certain laws. Yet, it takes up the work of the Assembly to keep reminding them that the 10 years has expired.

Mr. Speaker, as we speak, other counties extended the life of the Education Fund last year when they expired, with the support from the Attorney's Office. Mr. Speaker, I would call it intentional delay of the extension, because we knew very well that, by the time we were passing the budget last year, June, that we had allocated money for bursaries. Yet, at the same time, we were allocating money knowing very well that the extension was needed.

Mr. Speaker, I can see the Honourable Seth pointing at me, but allow me just to go beyond because of emotions coming from the bursary. That as much as we are discussing the extension of the Life of Education Fund, I have to be emotional because as we speak, Mr. Speaker, every single place we step, we are being told that we have eaten the bursary money, yet the problem is the extension, which is intentional. Mr. Speaker, I support the extension of the fund, but let it be extended so that bursaries given as soon as possible, not next year. Thank you, Mr. Speaker.

**The Speaker** (Hon Oraro): Honourable Ouko.

**Hon Ouko** (MCA, West Kisumu): Thank you, Mr. Speaker. I stand support the Motion brought before the House and thank you for inviting members through the Gazette Notice to extend the mandate of the Bursary Fund.

Mr. Speaker, we have to accept where we have messed, so that now we can see how to move forward. Mr. Speaker, it is unfortunate that according to the Act, it stipulates that, it has to take 10 years. Mr. Speaker, truly, if we have officers concerned, like the Office of the County Attorney and that of the County Executive Committee Member for Education, Technical Training, Innovation and Social Services who is in charge of this department, we should not have

reached this kind of situation. We should send a wake-up call to our officers who are serving the county, so that they do things according to what is expected.

Mr. Speaker, education is where people acquire knowledge and skills, and these are places where people's characters are being nurtured. It is a very important department so far, not only to Kisumu County, but to the whole world. It is unfortunate that we can be called now to do our legislative work on something which should have been given notice in advance. We are disappointed. However, given the importance of this kind of Fund, Mr. Speaker, it is important that we extend the lifespan of this Fund. But we have to note a few facts:

Mr. Speaker, it has to be practical. When we extend this, many times we have had the Education Fund brought here by the Office of the Auditor General. And we have had Adverse Opinions, throughout. That shows there is mismanagement of this fund. I believe as the House Committee of Education, Technical Training, Innovation and Social Services where I am a member, we need to act on some issues. We need to change the Management of this Fund, so that we see the delivery of services as required by Kisumu County. I stand to support. Thank you.

**The Speaker** (Hon Oraro): Honourable Lumumba. I have noticed you, Honourable Boitone. You will speak after the Deputy Leader of Majority.

**Deputy Leader of Majority** (Hon Lumumba, MCA, South East Nyakach): Thank you Mr. Speaker. I rise to support the extension of the operational mandate of this Act with a very heavy heart. Mr. Speaker, if we are serious with our oversight responsibility, this ought not to have happened. The fact that there is an Executive Committee Member who ought to have done this, it is also our duty to have noticed that there is an expiry. Just recently, we passed the Kisumu County Appropriation Bill, 2025 which ought also to have reminded us that as we pass this Kisumu County Appropriation Bill, when is that money going to be disbursed? That is when we ought to have noticed that there is an expiry.

Chairpersons and Committee Members should be aware that our duty is not to defend the County Executive, but to work together to ensure that we achieve our goal. More often than not, I have noticed in this House, that when a particular House Committee is put to task, others take it like we are fighting that House Committee, but we are just correcting or we want it to be seen that it is doing the right thing. Mr. Speaker, this is not the only extension or the only Act that has expired. I am sure there are a lot more. However, there is a danger, if there is a law in this House, that whenever a contract or a lease has expired, and is extended even by one day, that makes the extension legal.

In this House, we know that just the other year, two years ago, we were given support staff in our Wards. Some of them have their terms of service expired. We have not brought that to the House so that it is renewed. Be assured that those that have expired, they are automatically extended. I hope that there is nobody going to cry in this House that, you know, I want the terms of my staff

to be extended. Mr. Speaker, I support it. The rope has been put around my neck and I am over the stool.

*(Hon Oraro rises on a Point of Order)*

**The Speaker** (Hon Oraro): What is your Point of Order Hon Kelvin?

**Hon Oraro** (MCA, Kolwa Central): Mr. Speaker, Honourable Lumumba is now talking about everything expiring and I am worried. The member does not even have facts; talking about support staff and expiry. Mr. Speaker, I want the member to substantiate. And if he realizes that the member has erroneously said that word, let the member apologize and talk about the Motion before the House, Mr. Speaker.

**The Deputy Leader of Majority** (Hon Lumumba, MCA, South East Nyakach): Mr. Speaker, it is very early in the morning. I have just taken tea. Whatever I say here, I mean it. And I mean what I say. I did not say every but used the word some. I am very particular. Talking about the support staff. The contract was two years.

**Hon Oraro** (MCA, Kolwa Central): Mr. Speaker, the member on the Floor should confirm. Mr. Speaker, I believe that we need to inform these Ward Staff to bring back the letter so that we correct for him. It was three years, Mr. Speaker.

**The Speaker** (Hon Oraro): Honourable members, I want to maybe protect Honourable Lumumba. The member said something. However, Honourable Lumumba, I want you to confine yourself to the debate. Otherwise, we are going to take a lot of time asking you to substantiate who those some people are.

**The Deputy Leader of Majority** (Hon Lumumba, MCA, South East Nyakach): Mr. Speaker, I am very ready to substantiate. I have staff in my Ward and I know that the terms of service is for one year which is expiring next month. Mr. Speaker, what is lacking in this is that sometimes we might have made a mistake but it is not forever. We have the impeachment provision. But it is not a must that whenever a member of the Executive has erred, we must impeach. That is No. We have to take some corrective measures. And that is what is lacking.

Mr. Speaker, when someone makes a mistake, what is there to ensure that that the mistake is not repeated is more important than impeachment. This is a very serious matter, Mr. Speaker, that we ought to come up with a wayforward so that moving forward, we do not get this kind of embarrassment.

Mr. Speaker, the other issue, and now we are talking about the extension. After the extension, Mr. Speaker, it will take again a lot of time for the money to reach the schools. Some will even reach school in 2026. There are a lot of bottlenecks and encumbrances in disbursement of this Fund that we need to come up with a clear mechanism that if the money is disbursed, maybe one

week, two weeks, the money is sent to the school so that we do not get this bombardment we get from our supporters. Mr. Speaker, everything that happens, it is us that suffer the backlash or whatever that is happening at the County Executive. I support the extension. Thank you, Mr. Speaker.

**The Speaker** (Hon. Oraro): Honourable members, please remember that we need to have our phones on silent mode.

**The Speaker** (Hon. Oraro): Yes, Honourable Boitone

**Hon. Boitone** (Nyalenda “A”): Thank you so much Mr. Speaker. Before I give my comment, Mr. Speaker, I want to mention something which is very critical that may be forced to go through the throat of my colleagues. Mr. Speaker, it is known that the Bursaries and Scholarships given to our students is the sole mandate of the County Government through the Department of Education, Technical Training, Innovation and Social Services not the mandate of an MCA. However, Mr. Speaker, within the public domain, it is known or perceived that it is the MCA who issues bursaries and we have been riding on this for political gains.

Mr. Speaker, to some extent, it is allowed. But it is not right. Now, Honourable Speaker, we are talking about extension of the life of the Fund that expired in 2024 as was provided in Section 3 of 2014, which provided these funds. However, Honourable Speaker, the provisions of PFM Act gave a period of 10 years. The lifespan of the fund expired in 2024.

What is the question now? In between 2024 and 2025 July, what have we been doing? This is the question, Honourable Speaker. What have we been doing? I believe that the department and the responsible House Committee concerned should have known that the lifespan of this Fund is expired. Did we have to wait until we go on recess and put the Speaker in a precarious situation to call for a Special Sitting to extend the life of this Fund?

Mr. Speaker, if this House will continue working like this, then we are going to find ourselves in a very bad situation. We are requesting for an extension of one year, which I know the House will approve. But then in between tomorrow, until the time the life of this Fund expires again, after that one-year period, what are we going to do as an Assembly? Somebody may not be interested in these Funds being distributed to our learners. But as an Assembly, if our interest is so much vested on this, we must put them to task and ensure that these funds continue being in place.

Mr. Speaker, we are talking about openness and prudent use of public funds. It is in the lips of every member that the money that was appropriated in the last budget was Kshs. 205 million. However, what are we getting now is that we have Kshs. 105 million. If that is the case, though this may be a story for another day, if that is the case, this Assembly should task the Department of Education for misappropriation of Kshs. 100 million shillings which was not passed or approved in this House. Mr. Speaker, I want to implore other House Committees to look at the

Acts that are within their mandate and see if at all there is imminent expiry of an; bring forth so that the Assembly amends those kind of particular Acts so that we do not find ourselves again in such kind of situation.

Lastly, Mr. Speaker, we know that some counties had issued bursaries as early as January. It is in the public domain that there are some counties that had already issued bursaries about the month of January and February. And here we are, Kisumu County, discussing bursary in the month of July. Mr. Speaker, moving forward, I pray that we become as an Assembly which is proactive so that we carry out our mandates as Members of the County Assembly. Thank you, Mr. Speaker. I support the extension of education Funds. Thank you.

**The Speaker** (Hon Oraro): Honourable Zachary Okoyo.

**Hon. Okoyo** (MCA, Central Kisumu): Thank you Mr. Speaker. Please allow me also to rise on supporting the Motion which is brought forward. Secondly, allow me also to appreciate the effort you made for us to come back from recess. However, it looks like a bother to some of us, but we really wanted to have this Motion because we know where the shoes pinch most.

Mr. Speaker, it is indeed true that we are the people who feel the pinch as far as the bursary disbursement is concerned. Mr. Speaker, you know, most of the County Executive Committee Members, even if they stay around or walk around in our Wards or among the communities where we come from, people do not know them. Some people do not even know whether they are the people mandated to execute some of the policies we pass here. However, Mr. Speaker, we are chased almost everywhere, asked questions regarding the bursary wherever we go, in any gathering. Therefore, Mr. Speaker, we are right to discuss this.

Mr. Speaker, allow me to ask or allow me to put this forward. It is just the other day, Mr. Speaker, when we went to Nairobi and we wanted to meet the Head of State, that is, before we went to the State House. I remember we shouted loudly, asking the Controller of Budget why we could not be allowed to give out bursary. Little did I know Education Fund, had expired. When I read this, I just said, what were we doing? Why were we asking the OCoB to allow us to disburse the bursary? And we could not do it because our Education Fund had expired. Mr. Speaker, this is something which we should ask. This goes directly to the Chairperson, Departmental Committee on the Education, Technical Training, Innovation and Social Services to inform this House why we could be seen shouting while our Education Fund had expired.

Mr. Speaker, we also want to make this clear. I remember we discussed this in one of the Motions which we passed, that our bursaries should be considered and should be disbursed in the First Quarter, latest the Second Quarter of every Financial Year so that our students who are benefiting from the bursary kitty could have these funds as early as possible.

Mr. Speaker, it is my belief that, this Motion is going to be approved, but I do not know how fast this thing is going to be expedited so that our students, who some of them are back home, would

be getting their funds and continue with their education. Mr. Speaker, I beg to hear from the Chairperson of this House Committee concerned to help us know the timeline and when the students are going to get their bursary. Thank you, Mr. Speaker, and I support.

**The Speaker** (Hon. Oraro): Honourable Oiko Pete.

**Hon. Oiko** (MCA, Kabonyo/Kanyagwal): Thank you Mr. Speaker, the Education Act of 2014 is now the matter for discussion that it should be given more life so that our children benefit from bursary funds. Very crucial and very important.

However, Mr. Speaker, one may ask, when this Fund Act expires, who ought to have known this? It is passed at the Assembly. Was the Assembly ignorant of this? It is being implemented by the County Executive. Was the County Executive in darkness? Honorable members, note this, in the Budget Estimates for the FY 2024-2025, the Bursary Fund was allocated Kshs. 205 million, which means this money was to be distributed to our children in secondary schools and colleges. When the Supplementary Estimates came up here, what happened? Kshs. 100 million was chopped off from Kshs. 205 million. Who knew this? Who did not know this? Was the Departmental Committee on Education, Technical Training, Innovation and Social Services aware? The Select Committee on County Budget and Appropriations, were they aware of what was happening? Some mischief was being played. And who was playing it? And was it intentional?

This thing should have been done last year. So, I call it, it was intentional, so that our children would not benefit from the bursaries. So that it expires, then we give an excuse that, okay, you didn't get bursaries because the life of the Education Fund expired.

Mr. Speaker, we must speak from where we are seated, that as members representing different wards, when we go to the wards, every single voter is blaming the Member of the County Assembly. But how come other counties have given bursaries? How come the National Government – Constituency Development Fund Bursary is given on time?

Mr. Speaker, as much as we are extending the life of this Education Fund, we must not just sit here to pass the budget, when the bursary is given at the month of September. That is a bursary for last; this bursary should have been disbursed in January. Some of us gave out the forms sometimes in December 2024, with the hope that by February, by March, the students were going to benefit from the bursary.

Mr. Speaker, sometimes the department disburses bursary in the month of September or of October, when some students are finishing Form 4, felt the Act had died, they could now play about with the Bursary Fund. Honourable members, I want to draw your attention to a very important statement made by His Excellency the President of Kenya during discussions on the bursary fund. He said, "The children of Kenya have benefitted from bursaries for a long time, and no individual should stand in the way of that continued support." This money belongs to the

children of Kenya. Let the people of Kisumu County know the truth. When Professor Nyongó assumed office, the bursary system was already in place. At the time, it was disbursed through cheques—a method that, despite a few manageable challenges, proved to be effective and efficient.

However, the current Minister for Finance introduced a digital system to manage bursary disbursement. Sadly, this system has turned into a nightmare for our children. And what has this Assembly done about it? Nothing.

In fact, instead of strengthening the Bursary Programme, the Minister saw it fit to slash Kshs. 100 million from the bursary allocation. The question is, where did that money go? We must scrutinize the Supplementary Budget and establish to which vote this money was diverted. Was the Education Committee consulted? What was discussed by the Select Committee on Budget and Appropriations?

Mr. Speaker, when the Supplementary Budget was brought to this House, did anyone raise any alarm? No. Members were simply rushing to pass it within 20 or 30 minutes. That's the truth. Important documents like the 2025/2026 Budget were pinned to the noticeboard late at night—at 09:00 p.m.—and expected to be debated by 09:00 a.m. the next day. Tell me, Mr. Speaker, how are members expected to prepare and interrogate such documents in that short window.

This is how this Assembly is being managed. Honourable members, wake up! Do not just pass documents blindly. Read, question, and interrogate them. If they are tabled late, raise that alarm. That is how we stay relevant to the people we represent.

This Government has failed to prioritise the needs of our children. When schools reopen in January, beneficiaries of scholarships receive letters—but no cheques, no funds. Bursary disbursement now happens at the tail end of the financial year, or even spills into the next. Why is this the case? The answer is clear: someone in this Government simply does not care about bursaries. That individual does not understand how important this support is to the people of Kisumu County. The timing of both bursary and scholarship payments speaks volumes about the attitude of the Finance Minister. Let this go on record—I said it, and there is evidence to that effect.

Mr. Speaker, members of the public are pointing fingers at us, the MCAs, because to them, there are only two people they recognize in Government: the Governor and the MCA. When the County Executive fails, we bear the blame. And if we sit back and allow this trend to continue, then we will have failed in our duty.

Our own Chairperson, Select Committee on Public Investment and Accounts has raised this issue—an issue that is crucial to understanding the mismanagement of bursaries in Kisumu County. The Auditor General consistently flags Adverse Reports on Bursary Funds. Yet when

these reports come before this House, what do we do? Nothing. No meaningful input, no feedback to the County Executive. We just pass them.

When Honourable Pete challenged the content of these reports and cautioned against superficial reports from the Select Committee on Public Investments and Accounts, some members take offense. But today, the Chairperson himself has acknowledged the adverse findings from the audit reports. This mismanagement has been building over time, and we are now seeing the consequences.

Mr. Speaker, let us also be clear—we are not the ones who disburse bursaries. Members of the public must know that bursary cheques do not come from MCA offices. We do not sign them. That is the sole responsibility of the County Executive. The County Executive must be held accountable for this delay and confusion.

By speaking truthfully in this House and to the public, we can bring change. But if we continue to gloss over these issues, pretending all is well, then we are part of the problem.

Mr. Speaker, with the proposed extension of the Education Fund Act, I offer my support. However, the issues we are raising here must be taken seriously. The Chairperson, Departmental Committee on Education, Technical Training, Innovation and Social Services holds the view that bursaries are not a County Government responsibility—that we should focus only on ECDEs, hiring ECDE teachers, and TVETs. While that is partly true, we must also appreciate that the public has come to rely on bursaries, and they have become a critical lifeline for many struggling families. No member should dismiss or undermine this fact. Bursary is helping the poor, the common *mwananchi*. Let no one play politics with this matter.

Mr. Speaker, as we pass this legislation, let all our concerns be communicated clearly to the Governor. What is happening in Kisumu paints a poor image of our County. While other counties are making progress, Kisumu is still lagging behind. With those remarks, I submit.

**The Speaker** (Hon. Oraro): Honourable Dede.

**Hon. Dede** (MCA, Kisumu North): Thank you, Mr. Speaker. I rise to support the extension of the Bursary Fund operational period.

Mr. Speaker, we are already late in disbursing bursary funds to our students for the current financial year. The Act we are seeking to extend today relates to the 2024/2025 financial year, and the funds meant to benefit our learners during that period.

However, Mr. Speaker, while we speak of disbursing Kshs. 205 million to support our students, the reality is different. If this extension goes through, only Kshs. 105 million will be available for disbursement. Why? Because in the last financial year, we appropriated Kshs. 205 million, but

Kshs. 100 million mysteriously disappeared from the budget. To date, we don't know where it went.

Mr. Speaker, even though we are passing this extension today, it is important to note that we are working with significantly reduced resources. Recently, we passed a budget of Kshs. 305 million to top up the fund, but due to delays and poor timing, much of that money may still not reach the intended beneficiaries in time.

Mr. Speaker, most secondary schools structure fee payments across the first and second terms. By the third term, most students have cleared their balances and are simply in school to complete their studies. That means if bursaries are disbursed late, especially in the third term, they may not benefit the students at all. In fact, if a student in Form Four has already cleared their fees and is now about to complete school, any bursary funds sent on their behalf now will likely go to waste. This is a loss to the County.

Therefore, Mr. Speaker, while we support this extension, it is critical that a clear timeline is established for future disbursements. We must ensure that bursary funds are released in good time—preferably in the first term—so that, it serves the intended purpose.

Additionally, Mr. Speaker, this situation has exposed a serious oversight. The CECM for Education came before us to request funds without realizing that the legal framework guiding this fund had expired. This is unacceptable. Before requesting for funds or any appropriations, the Executive must ensure the relevant legal instruments are in place.

Mr. Speaker, moving forward, let us ensure that bursary disbursements are timely, well-coordinated, and within a proper legal framework to avoid wastage and to better serve the needs of our learners. With those remarks, I support the extension and I submit. Thank you, Mr. Speaker.

**Deputy Majority Whip** (Hon. Obonyo, MCA, South West Kisumu): Thank you. Mr. Speaker, I wish to call the mover to reply.

**The Speaker** (Hon. Oraro): Honourable Seth Okumu.

**Hon. Okumu** (MCA, East Seme): Thank you very much, Honourable Speaker. Let me begin by sincerely appreciating Honourable members for the robust and passionate debate on this matter. It is clear that the majority of us agree on the need to extend the life of the Bursary Fund so that our students can continue benefiting from this important support.

However, Honourable Speaker, even as members support this extension, many valid concerns have been raised—and rightly so. But let me remind this House that the purpose of today's resolution is to communicate to the Comptroller of Budget that this Assembly has agreed to

extend the lifespan of the fund. That is a key requirement for the release of any further bursary monies.

Now, Honourable members, I urge us to reflect: if the Office of the Comptroller of Budget were to read our remarks today, would they be convinced that this County Government truly values and is committed to managing this fund responsibly?

This brings me to a point I have emphasized many times—when we are legislating, let us strive to be objective and avoid becoming overly emotional. Emotional arguments, while understandable, sometimes result in irrational conclusions.

Allow me, Honourable Speaker, to illustrate this with a light story: imagine someone seeks your recommendation to marry a particular person, and you say, “Yes, go ahead and marry her,” but then proceed to list all her flaws—she didn’t go to school, her head is big, and there are night runners in her family. Though, you gave your approval, your words may cast more doubt than confidence. In the same way, we must be careful how we frame our support here.

On a point of correction, Honourable Pete mentioned that the information was shared at 09:00 p.m. I would like to clarify that the budget documents were actually shared at 06:53 p.m., within the constrained timelines we were working with. Honourable Pete is also among the few members who request hard copies, but any member with access to digital platforms can confirm this.

Honourable members, bursaries are not just meant for secondary schools and universities. They also apply to Vocational Training Centres (VTCs)—a devolved function under the Constitution of Kenya, 2010. In fact, moving forward, we should consider extending bursary support even to ECD learners, to enhance accessibility and inclusivity in early education. As we support bursaries for high school and college students, let us also ensure our VTC learners are not forgotten.

Mr. Speaker, regarding the Supplementary Budget, I hesitate to dwell on it. Honourable members know very well how many of us were present during its passage. Ironically, those who were absent are now the ones raising the loudest concerns. As I once discussed with my colleague from Kisumu Nyalenda “A” Ward, we are often very active during *Kamkunjis*, but the same energy doesn’t always carry into Assembly sittings. If we had applied more scrutiny during the supplementary process, some of these issues could have been addressed earlier.

It’s also worth noting that neither the Education Committee nor the Budget Committee recommended the reduction of Kshs. 100 million in the bursary fund. This decision came from elsewhere, and we—like you—are still seeking answers. The Chairperson and Vice Chairperson of the Select Committee on Budget and Appropriations have both raised this matter consistently. So, Honourable Oiko Pete, to say that nothing has been done is inaccurate. What we are doing

today—extending the life of the fund—is a significant step. Without it, there would be no legal framework to disburse any bursary funds.

Honourable members, we must also acknowledge that, until recently, this matter was *sub judice* due to a court case—Omusundi and Another vs. Nakuru County Assembly—which questioned whether County Governments were legally permitted to issue bursaries for high schools and universities. The court eventually ruled that County Governments can do so, but only through an Intergovernmental Agreement with the National Government. This legal clarification now gives life to Bursary Programs at the county level.

To clarify another matter, it wasn't the Act that expired, but rather the Fund, whose lifespan was 10 years. The law provides that when a fund expires, it is up to the County Executive, through the County Executive Committee Member responsible, to initiate the process of renewal by writing to the Assembly. That process did not happen in time, hence the delay. This applies to other funds as well—whether Disaster or Emergency Funds.

Honourable Oiko Pete, on the matter of the Kshs. 100 million allegedly misappropriated: we cannot accuse the Department of Education of misappropriating funds that were never allocated to them. That money did not appear in the budget. So we must be careful not to make unfounded accusations.

To Honourable Ratib's question—what happens after the extension?—that's already addressed in the report before us. It clearly states that within six months, the department must submit a legislative framework to guide future management of the fund. So the issue is not new, and the plan is already in motion.

Honourable Lumumba raised concerns about the perception that some of us are defending the County Executive. I understand this frustration. As Chairpersons of House Committees, we are expected to explain departmental actions based on the information we receive. Unfortunately, when we share those explanations, it appears as though we are defending the County Executive. This is a dilemma inherent in our structure of devolved governance.

On the issue of mismanagement, I appreciate the contributions of Honourable Ouko and acknowledge that the Select committee on Public Investments and Accounts has consistently brought forward reports with recommendations. These must be followed up and implemented.

Finally, Honourable members, the question that everyone is asking: When will the bursary be disbursed? That answer lies with the Controller of Budget. Once this Assembly approves the extension, we must transmit the resolution to the Office of Controller of Budget, who will then authorise the release of funds to the Bursary Account. Only then can the funds be disbursed to schools.

It would be misleading for me to give a specific date, however, what I can assure you is this: we are committed to making sure the process moves as fast as possible. That is why the Speaker called for a special sitting today—so that we don't lose any more time. With those remarks, Honourable Speaker, I beg to reply. Thank you.

**The Speaker** (Hon. Oraro): Honourable members, now that the motion Approval Extension of the Operational Mandate of the Kisumu County Education Fund has been moved, seconded, and debated, as per our starting order, I want to put a question on the adoption of the same.

*(Question put and agreed to)*

**The Speaker** (Hon. Oraro): Honourable members, the motion Approval of Extension of the Operational Mandate of the Kisumu County Education Fund has been adopted today, Monday the 14th of July 2025 at 10:22 Hours. I direct that the said recommendation be communicated to the right department for action.

Honourable members, I further direct that the Select Committee on Implementation to follow-up on the implementation of the resolutions or recommendations for action.

**The Speaker** (Hon. Oraro): Next order!

### **ADJOURNMENT**

**The Speaker** (Hon. Oraro): Honourable members, I kindly request that we remain behind briefly after the session for a short communication.

Honourable members, there being no any other business in the order paper, the House stands adjourned until Tuesday the 05th of August 2025 at 02.30 p.m. Thank you.

*(House rose at 10.23 a.m.)*

**Addendum**

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