



**COUNTY ASSEMBLY OF BUNGOMA  
THIRD COUNTY ASSEMBLY – SECOND SESSION  
REGULAR HOUSE SITTING  
VOTES AND PROCEEDINGS  
THURSDAY 9<sup>TH</sup> MARCH, 2023 AT 2:30 P.M**

1. The County Assembly assembled at 2:35 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Christine Mukhongo)
4. **ADMINISTRATION OF OATH**

*None*

5. **COMMUNICATION FROM THE CHAIR**

*None*

6. **MESSAGES**

*None*

7. **PETITIONS**

*None*

8. **PAPERS**

The following paper was laid;

Report by Sectoral Committee on Health Services on the Fact Finding activity on the Status of collection and usage of own generated revenue on development projects in respect to the Department of Health and Sanitation.

Laid by *Hon. Jerusa Aleu; Vice Chairperson, Health Services Committee*

9. **NOTICES OF MOTIONS**

The following notice of motion was issued; that, the House adopts the report by the Sectoral Committee on Health Services on the Fact Finding

activity on the Status of collection and usage of own generated revenue on development projects in respect to the Department of Health and Sanitation.

Issued by Hon. Jerusa Aleu

## **10. STATEMENTS**

Pursuant to the provisions of Standing Order 47 (2) (a) and (c),The following statements were sought ;

- I.** A statement informing the County Assembly of the Weekly Business before the House from Tuesday 14<sup>th</sup> to Thursday 16<sup>th</sup> March, 2023.

Issued by Hon. Johnston Ipara

- II.** A Statement sought from the Chairperson, Sectoral Committee on Education and Vocational Training on the status of Muyayi Vocational Training Center Issued by Hon. John Kennedy Wanyama

## **11. MOTION**

The following motion was moved, THAT, the House adopts the Report by the Sectoral Committee on Education and Vocational Training on the fact finding visit on the status of ECDE centers for the financial years 2017/2028 and 2018/2019.

Mover: Hon. Benjamin Otsiula

Seconder: Hon. Allan Nyongesa

Question proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**

Motion adopted

ASSEMBLY ROSE\_- at 4: 10P.M.

**MEMORANDUM**

*The Speaker will take the Chair on  
Tuesday 14<sup>th</sup> March, 2023 at 2:30P.M*

-x-



**COUNTY GOVERNMENT OF BUNGOMA  
THIRD COUNTY ASSEMBLY – SECOND SESSION  
REGULAR HOUSE SITTING  
VOTES AND PROCEEDINGS  
WEDNESDAY 8<sup>TH</sup> MARCH, 2023 AT 2.30 P.M.**

1. The County Assembly assembled at 2.41 P.M.
2. *The proceedings were opened with prayer*
3. **Presiding Speaker** (Hon. Stephen Wamalwa)
4. **ADMINISTRATION OF OATH**

*None*

5. **COMMUNICATION FROM THE CHAIR**

*None*

6. **MESSAGES**

*None*

7. **PETITIONS**

*None*

8. **PAPERS**

The following paper was laid;

Report by the Sectoral Committee on Education and Vocational Training on the fact finding visit on the status of ECDE centres for the financial years 2017/2018 and 2018/2019.

Laid by Hon. Benjamin Otsiula

## **9. NOTICES OF MOTION**

The following notice of motion was issued;

**THAT**, the House Report by the Sectoral Committee on Education and Vocational Training on the fact finding visit on the status of ECDE centres for the financial years 2017/2018 and 2018/2019.

Issued by Hon. Benjamin Otsiula

## **10. STATEMENTS**

1. Pursuant to the provisions of Standing Order 47 (2) (c),The following statement was sought;

Hon. Anthony Lusenaka sought a statement from the Chairperson, Sectoral Committee on Public Administration and ICT on the construction of ward offices in Bukembe West ward.

Response expected on 29<sup>th</sup> March, 2023

### **II. Pursuant to the provisions of Standing Order 47 (2) (c)**

Hon. Jack Wambulwa sought a statement from the Chairperson, Sectoral Committee on Finance and Economic Planning on the remittance of CESS to the County.

Response expected on 5<sup>th</sup> April, 2023

## **11. MOTION**

The following motion was not moved, that, the House adopts the Report by Powers and Privileges Committee on conduct that constitutes breach of County Assembly privileges.

Debate deferred to a later date for lack of quorum. Taken back to the House Business Committee for reallocation.

## **12. BILLS**

The following Bill was read for the third time;

**THE BUNGOMA COUNTY GOVERNMENT FINANCE BILL, 2022**

A Bill of an Act of the County Assembly of Bungoma to provide for revision of the various taxes, fees and charges for the service and for other revenue raising measures by the County Government; and matters incidental thereto

ASSEMBLY ROSE - 15.15 P.M.

### **MEMORANDUM**

*The Speaker will take the Chair on  
Thursday 9<sup>th</sup> March, 2023 at 2:30 p.m.*

-x-



**COUNTY GOVERNMENT OF BUNGOMA  
THIRD COUNTY ASSEMBLY – SECOND SESSION  
REGULAR HOUSE SITTING  
VOTES AND PROCEEDINGS  
WEDNESDAY 8<sup>TH</sup> MARCH, 2023 AT 9.30 A.M.**

- 1.** The County Assembly assembled at 9.35 A.M.
- 2.** The proceedings were opened with prayer
- 3. Presiding: Deputy Speaker** (Hon. Stephen Wamalwa)
- 4. ADMINISTRATION OF OATH**

None

**5. COMMUNICATION FROM THE CHAIR**

None

**6. MESSAGES**

None

**7. PETITIONS**

None

**8. PAPERS**

- I. The following papers were laid on the table of the House Laid by Hon. George Tendet
  - a) Report of the Auditor General on the Covid-19 vaccine rollout for the Bungoma County Government by the Public Accounts and Investment Committee
  - b) Report of the Auditor General on the Bungoma County Assembly, car loan and mortgage scheme fund (Members of the County Assembly) for the year ended 30<sup>th</sup> June, 2021

- c) Special Audit Report of the Auditor General on the public participation in the County Budget Making process for the FY 2021/2022
- II. Report of the Auditor General on the Bungoma County persons with disability empowerment fund for the year ended 30<sup>th</sup> June, 2021

*Laid by Hon. James Mukhongo and committed to the Public Accounts and Investment Committee*

## **9. NOTICES OF MOTION**

The following notice of motion was issued by Hon. George Tendet THAT, the House adopts the Report of the Auditor General on the Covid-19 vaccine roll out for the Bungoma County Government by the Public Accounts and Investment Committee.

## **10. STATEMENTS**

The following statements were sought Pursuant to the provisions of Standing Order 47 (2) (c)

- i. Hon. Jack Kawa sought a statement from the Chairperson, Sectoral Committee on Public Administration and ICT in relation to the incomplete construction of Bokoli ward office in the FY 2015/2016

*Response expected on 22<sup>nd</sup> March, 2023 at 9:30 a.m.*

- ii. The Hon. Anthony Lusenaka sought a statement from the Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources on the extension of NZOWASCO water pipeline from Makotelo to Namirembe

*Response expected on 22<sup>nd</sup> March, 2023 at 2:30 p.m*



## 11. MOTION

THAT, pursuant to the provisions of Standing Order 58; Sections 57 and 58 of the County Governments Act, 2012, the House approves the appointment of the following members of the selection panel to fill the vacancy of a member to the County Public Service Board.

1. Moses Narwenyi
2. CS Elizabeth Wanyonyi
3. Dr. Lucy Mandila
4. Donald Kapten
5. CPA Stephen Sungwacha

Mover: Hon. James Mukhongo

Seconder: Hon. Sudi Busolo

Question proposed:

Debate arising

Mover called to reply

Question put and **AGREED TO.**

Resolved accordingly and the Deputy Speaker directed that communication be made to the Relevant Department.

## 12. BILLS

The following Bill was read for the second time

**THE BUNGOMA COUNTY GOVERNMENT FINANCE BILL, 2022**

A Bill for an Act of the County Assembly of Bungoma to provide for revision of the various taxes, fees and charges for the services and for other revenue raising measures by the County Government; and matters incidental thereto

Proposed by: Hon. James Mukhongo

Seconded by: Hon. Francis Chemion

### **13. COMMITTEE OF THE WHOLE HOUSE**

#### **THE BUNGOMA COUNTY GOVERNMENT FINANCE BILL, 2022**

##### **In the Committee**

##### **Chairperson: Hon. Benjamin Otsiula**

The Chairperson, Sectoral Committee on Finance and Economic Planning Hon. James Mukhongo moved the following amendments to the Bungoma County Finance Bill, 2022 at the Committee Stage Pursuant to Sanding Order 145;-

(A) Clauses as printed: None

(B) New clauses : none

(C) Schedules:

First Schedule: Finance and Economic Planning.

Question proposed

Amendments moved by Hon. James Mukhongo

1. That the First Schedule be amended by deleting the entire item of code 1-1001 on dishonored cheques from the Bill.
2. That Item code number 1-1005 failure by an officer to identify himself/herself be with amended to read as:

Description of fee or Charge recommended	Unit of measure	Proposed 2022	Committee charges
Penalty	per instance		500
1000			

3. That Item code 1-1006 by clamping a vehicle without a notice and contact details be approved with amendments to read:

Description of fee or	Unit of measure	Proposed	Committee
-----------------------	-----------------	----------	-----------

Charge		charges
recommended		
	2022	charges
Penalty	per instance	500
1000		

Question proposed that the schedule be amended as proposed

No debate

Question put and **AGREED TO**

Question proposed that schedule as amended be part of the Bill

No debate

Question put and **AGREED TO**

Second Schedule: Agriculture, Livestock, Veterinary and Fisheries

Question proposed

No debate

Question put and **AGREED TO**

The Second Schedule approved without amendments

Third Schedule: Environment, Water and Natural Resources

Question Proposed

Amendments moved by Hon. James Mukhongo

1. That the Third Schedule be approved with amendments by deleting the word “kilometer “and replacing therefor the word “Kilograms” on item code 1-2801-2802 on the unit of measure.

2. That Item code 1-2901 on small private solid waste management collectors (youth, women and PWD) and item code 1-2902 on commercial/ large waste collectors be amended by inserting:

Description of fee or Charge recommended	Unit of measure	Proposed 2022 per annum	Committee charges
i) Small waste collectors 3,000		per annum	6,000
ii) Large waste collectors 40,000		per annum	20,000

3. That Item Code 1- 2536, on quarrying permit be amended by categorizing the permits as large and small companies and create a code for small companies as code 1-2537 and renumber codes own ward.
4. That Item codes 1- 2537, 1-2538 and 1- 2539 under column unit of measure be amended by introducing new column to charge the fee quarterly.

Question proposed that the schedule be amended as proposed

No debate

Question put and **AGREED TO**

Question proposed that schedule as amended be part of the Bill

No debate

Question put and **AGREED TO**

Fourth Schedule: Public Health and Sanitation

Question proposed

No debate

Question put and **AGREED TO**

The Fourth Schedule approved without amendments

Fifth Schedule: Education, Culture, Youth and Social Services

Question Proposed

Amendments moved by Hon. James Mukhongo

That the Fifth Schedule be approved with amendments on *item number 1-4015 on Registration of community based organization be amended by:*

Description of fee or Committee Charge recommended	Unit of measure    2022 per certificate	Proposed   charges  charges 5,000
Registration 3,000		

Question proposed that the schedule be amended as proposed

No debate

Question put and **AGREED TO**

Question proposed that schedule as amended be part of the Bill

No debate

Question put and **AGREED TO**

Sixth Schedule: Lands, Urban and Physical Planning (County rating)

Question proposed

No debate

Question put and **AGREED TO**

The Sixth Schedule approved without amendments

Seventh Schedule: Lands, Urban and Physical Planning (Building plans approval)

Question proposed

No debate

Question put and **AGREED TO**

The Seventh Schedule approved without amendments

Eighth Schedule: Housing and Sanitation

Question proposed

No debate

Question put and **AGREED TO**

The Eighth Schedule approved without amendments

Ninth Schedule: Lands, Urban and Physical Planning

Question proposed

No debate

Question put and **AGREED TO**

The Ninth Schedule approved without amendments

Tenth Schedule: Roads, Public Works and Transport

Question proposed

No debate

Question put and **AGREED TO**

The Tenth Schedule approved without amendments

Eleventh Schedule: Roads, Public Works and Transport

Question proposed

Amendment moved by Hon. James Mukhongo

That the Eleventh Schedule be approved with amendments by deleting the item code 1-6612 on parking motorbikes from the Bill

Question proposed that the schedule be amended as proposed

No debate

Question put and **AGREED TO**

Question proposed that schedule as amended be part of the Bill

No debate

Question put and **AGREED TO**

Twelfth Schedule: Trade, Energy and Industrialization

Question proposed

No debate

Question put and **AGREED TO**

The Twelfth Schedule approved without amendments

Thirteenth Schedule: Trade, Energy and Industrialization

Question proposed

No debate

Question put and **AGREED TO**

The Thirteenth Schedule approved without amendments

Fourteenth Schedule: Trade, Energy & Industrialization

Question proposed

No debate

Question put and **AGREED TO**

The Fourteenth Schedule approved without amendments

Fifteenth Schedule: Trade, Energy & Industrialization

Question proposed

No debate

Question put and **AGREED TO**

The Fifteenth Schedule approved without amendments

Sixteenth Schedule: Trade, Energy & Industrialization

Question proposed

No debate

Question put and **AGREED TO**

The Sixteenth Schedule approved without amendments

INTERPRETATION:

Question proposed

No debate

Question put and **AGREED TO**

The interpretation approved without amendments

Mover: Hon James Mukhongo

Question put and **AGREED TO**

LONG TITLE:

Question proposed

No debate

Question put and **AGREED TO**



The Long Title approved without amendments.

THE CLAUSES PROVIDING FOR THE CITATION OF THE BILL AND  
THE COMMENCEMENT DATE: be approved without amendments

Question proposed

No debate

Question put and **AGREED TO**

Pursuant to Standing Order 148, Report of the Committee of the Whole  
House

Mover: Hon. James Mukhongo

Seconder: Hon. Francis Chemion

Question proposed

No debate

Question put and **AGREED TO**

## REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

*(The Chairperson, Committee of the Whole House Hon. Benjamin  
Otsiula)*

Mr. Speaker sir, I rise pursuant to Standing Order No. 147 to report the  
resolutions of the Committee of the Whole House on The Bungoma  
County Finance Bill, 2022 (Bungoma County Bill No. 5 of 2022)

(A) Clauses as printed: None

(B) New clauses : none

(C) Schedules:

First Schedule: Finance and Economic Planning.

That the First Schedule was approved with amendments

Second Schedule: Agriculture, Livestock, Veterinary and Fisheries

That the Second Schedule was approved without amendments

Third Schedule: Environment, Water and Natural Resources

That the Third Schedule was approved with amendments

Fourth Schedule: Public Health and Sanitation

That the Fourth Schedule was approved without amendments

Fifth Schedule: Education, Culture, Youth and Social Services

That the Fifth Schedule was approved with amendments

Sixth Schedule: Lands, Urban and Physical Planning (County rating)

That the Sixth Schedule was approved without amendments

Seventh Schedule: Lands, Urban and Physical Planning (Building plans approval)

That the Seventh Schedule was approved without amendments

Eighth Schedule: Housing and Sanitation

That the Eighth Schedule was approved without amendments

Ninth Schedule: Lands, Urban and Physical Planning

That the Ninth Schedule was approved without amendments

Tenth Schedule: Roads, Public Works and Transport

That the Tenth Schedule was approved without amendments

Eleventh Schedule: Roads, Public Works and Transport

That the Eleventh Schedule was approved with amendments

Twelfth Schedule: Trade, Energy and Industrialization

That the Twelfth Schedule was approved without amendments

Thirteenth Schedule: Trade, Energy and Industrialization

That the Thirteenth Schedule was approved without amendments

Fourteenth Schedule: Trade, Energy & Industrialization

That the Fourteenth Schedule was approved without amendments

Fifteenth Schedule: Trade, Energy & Industrialization

That the Fifteenth Schedule was approved without amendments

Sixteenth Schedule: Trade, Energy & Industrialization

That the Sixteenth Schedule was approved without amendments

INTERPRETATION:

That the interpretation was approved without amendments

LONG TITLE:

That the Long Title was approved without amendments.

THE CLAUSES PROVIDING FOR THE CITATION OF THE BILL AND

THE COMMENCEMENT DATE: was approved without amendments

Motion made and Question proposed;

THAT, the House do agree with the Committee in the said report.

Mover: Hon. James Mukhongo

Seconder: Hon. Francis Chemion

Question Put and **AGREED TO:** THAT, the Bungoma County Government Finance Bill, 2022 be read a third time on Wednesday 8<sup>th</sup> March at 2:30 p.m.

ASSEMBLY ROSE – 11:00 A.M.

### **MEMORANDUM**

*The Speaker will take the Chair on  
Wednesday 8<sup>th</sup> March, 2023 at 2:30 p.m.*

-x-



**COUNTY ASSEMBLY OF BUNGOMA  
THIRD COUNTY ASSEMBLY – SECOND SESSION  
REGULAR HOUSE SITTING  
VOTES AND PROCEEDINGS  
TUESDAY 7<sup>TH</sup> MARCH, 2023 AT 2:30P.M**

1. The County Assembly assembled at 2:31 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **ADMINISTRATION OF OATH**

*None*

**5. COMMUNICATION FROM THE CHAIR**

*The Speaker conveyed to the House communication from the County Secretary on the persons that had been appointed as the Liaison Officers between the Assembly and the Executive. The officers were;*

- 1. Japheth Maritani Kangale ID NO. 20095054*
- 2. Hon. Peter Cherui Ndiema ID NO. 20023605*
- 3. Ben Namaswa Wafula ID NO. 9360620*

**6. MESSAGES**

*None*

**7. PETITIONS**

*None*

**8. PAPERS**

The following papers were laid;

- I. Report by Powers and Privileges Committee on conduct that constitutes breach of County Assembly Privileges.

*Laid by Hon. Brigit Katasi, Chairperson, Powers and Privileges Committee*

- II. Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Government Finance Bill, 2022

*Laid by Hon. James Mukhongo, Chairperson, Sectoral Committee on Finance and Economic Planning*

## **9. NOTICES OF MOTIONS**

The following notices of motion were issued;

- I. THAT, Pursuant to the provisions of Standing Order 58; Sections 57 and 58 of the County Governments, Act 2012 this House approves the Appointment of Members of the Selection Panel to fill the vacancy of a member to the County Public Service Board.

*Issued by Hon. Joseph Nyongesa, Leader of Majority*

- II. That, Report by Powers and Privileges Committee on conduct that constitutes breach of County Assembly Privileges.

*Issued by Hon. Brigit Katasi and directed that the report be circulated to Hon. Members*

- III. That, the House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Government Finance Bill, 2022

*Issued by Hon. James Mukhongo*

## **10. STATEMENTS**

The following statement was sought by Hon. Alfred Mukhanya Pursuant to the provisions of Standing Order 47 (2) (c);

A Statement sought from the Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development on the environmental and health menace being

experienced by the residence of Ndivisi Ward living close to Makemo dam.

*It was directed that the Committee avail its report the statement on 28<sup>th</sup> March, 2023*

## **11. MOTION**

THAT, the House adopts the Report by the Sectoral Committee on Youth Affairs and Sports on the status of Stadia in Bungoma County

Mover: Hon. Violet Makhanu

Seconded: Hon. Allan Nyongesa

Question proposed

Debate arise

Motion pursuant to SO 64 (a) that recommendation no. 2 on Mbakalo Stadium be amended to read ‘From the documents submitted, the contractor should not be paid until the work is complete since he has not been paid.’

Question Proposed

Debate arise

Mover called to reply

Question put and agreed too

Mover called to replied

Question put and **AGREED TO.**

ASSEMBLY ROSE - at 4: 08P.M.

## **MEMORANDUM**

*The Speaker will take the Chair on*

*Wednesday 8<sup>th</sup> March, 2023 at 9:30a.m*

-x-