

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

THURSDAY 16TH FEBRUARY, 2023

Afternoon Sitting

3rd County Assembly

2nd Session

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COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

THURSDAY 16TH FEBRUARY, 2022

The House met at 2:30 p.m.

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] in the Chair)

PRAYER

COMMUNICATION FROM THE CHAIR

Honourable members, I have some two communications to make;

One is on the state of the County address by the Governor. We have in our office the letter from the Governor with intent to address the County Assembly which reads; *I hereby write to notify you of my intention to address the County Assembly on 21st February, 2023 from 2:00 p.m. on the status of Bungoma County. This is to request your office for scheduling. Looking forward to your timely response and positive consideration.* This is from Hon. Ken Makelo Lusaka.

Therefore, Honourable members, be informed that 21st February this month 2:00 p.m. the Governor will be addressing this House.

The second communication concerns the Committee on Finance. The office is in receipt of the letter from the Chairperson, the Committee on Finance, on behalf of the committee for withdrawal of Bungoma County equitable development Bill 2022. In the letter, the Chair avers that the Committee conducted a public hearing and also received views of the County Executive Committee Member for Finance and Economic Planning which highlighted grey areas in the Bill as captured here below, that require extensive architecture in its contents; that the bill:

1. Lacked clarity on the operations of the ward accounts.
2. The proposed bill does not recognise the role of County Treasury in its implementation and budgeting.
3. Financial management is not clear in terms of record operation to reporting.
4. The establishment of Board and Ward Development Committee as cited for in the Bill as a body corporate contradicts the entire Bill in terms of reporting because a body corporate does not provide the roles and relation between the CEO and the Chief Officers as well as the CECM on their respective roles.

In view of the above, the CECM - Finance and Economic Planning being the implementing entity, the Committee was in agreement with the executive that the Bill be withdrawn from

the House to consider the issues highlighted above and if need be re-introduced as per the Standing Order 153 (3).

PAPERS

REPORT BY THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND CO-OPERATIVE DEVELOPMENT ON THE IMPLEMENTATION STATUS OF FARM INPUT SUPPORT PROGRAM.

Mr. Deputy Speaker: Chairperson Agriculture!

Hon. Wafula Waiti: Thank you, Mr. Speaker. I hereby lay the report by the sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development on the implementation status of farm input support program.

Mr. Deputy Speaker: Thank you, Honourable Chair. Honourable members, a report by the Committee on Agriculture having been procedurally laid before this House, it's now the property of this Honourable Assembly.

NOTICES OF MOTION

REPORT BY THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND CO-OPERATIVE DEVELOPMENT ON THE IMPLEMENTATION STATUS OF FARM INPUT SUPPORT PROGRAM

Hon. Wafula Waiti: Thank you, Mr. Speaker. I hereby issue a notice of motion on the report by the sectoral Committee on Agriculture, Livestock, Fisheries Irrigation and Co-operatives Development on the implementation status of farm input support program.

Mr. Deputy Speaker: Thank you, Hon. Wafula Waiti Chair, Agriculture. Honourable members, a notice of motion having been issued procedurally, I direct to be circulated to all Honourable members of this House for their critical perusal and in-depth consumption and forms part of the business to be considered by this Honourable House.

STATEMENTS

BUSINESS OF NEXT WEEK

Mr. Deputy Speaker: Hon. Lusenaka, Leader of Minority!

Hon. Antony Lusenaka: Thank you, Mr. Speaker. Before me we have a weekly program for the business of the County Assembly pursuant to Standing Order No. 42, week commencing Tuesday 21st-23rd February 2023.

On Tuesday 21st Feb 2023 at 2:30p.m

Prayers,

1. National and East African anthem.

2. Prayers with or spiritual leaders
3. Convocation by the Speaker of the Assembly. The Speaker of the County assembly will invite His Excellency, the Governor to make his address to the Third County Assembly of Bungoma.
4. State of the County Address to the Third County Assembly by His Excellency, the Governor of Bungoma County government.
5. Adjournment by the Speaker of the County Assembly.

On Wednesday 22 February 2023 at 9:30 a.m.:

Papers

- i) Address by the Governor which will be tabled by the Leader of Majority Party.
- ii) Report the Sectoral Committee on Gender, Culture, Social Welfare and Bungoma County Cultural Heritage Bill that is 2022 which will be tabled by the Chairperson of Sectorial Committee on Gender, Culture and Social Welfare.

NOTICES OF MOTION

- i) That the thanks of the County Assembly recorded for the exposition of the public policy contained in the address of the Governor delivered on Tuesday 21st February, 2023. That will be handled by the Leader of Majority party.
- II) This House adopts the report by sectorial Committee on Gender, Culture and Social Welfare and the Bungoma County Cultural Heritage Bill 2022. This one will be moved by the Chairperson, sectorial Committee on Gender, Culture and Social Welfare.

8. Bills

That the Bungoma County State of County address Bill 2022; A Bill for an Act of County Assembly of Bungoma to provide for the delivery of the annual State of the County address by the Governor of Bungoma County, to the County Assembly of Bungoma for matters incidental there to by the Chairperson, Committee on Finance and economic Planning.

Mr. Deputy Speaker: The page for Thursday is missing.

Hon. Anthony Lusenaka: We need your guidance Mr. Speaker because I'm missing some pages

Mr. Deputy Speaker: now, Honourable Members, we shall proceed and come back to that item later on so that the missing page can be inclusive in the same statement. We move to the next item

BILLS

THE BUNGOMA COUNTY STATE OF COUNTY ADDRESS BILL, 2022

Hon. Tony Barasa: This is the second reading of Bungoma County State of County Address Bill 2022. A Bill of the Act of the County Assembly of Bungoma to provide for the delivery of the Annual State of the County address by Governor, Bungoma County to the County Assembly of Bungoma, and matters incidental thereon. Second reading

Hon. Tony Barasa: I want to call upon Hon. Makabichi to second.

Mr. Deputy Speaker: Do we have Hon. Makabichi here?

Hon. Tony Barasa: Hon. Jeremiah Kuloba, sorry.

Mr. Deputy Speaker: Hon. Jeremiah Kuloba, you have very many names, we will come to understand the names and the meaning

Hon. Jeremiah Kuloba: In the future Mr. Speaker. I second the Motion

Mr. Deputy Speaker: Is it the motion or the Bill Hon. Jeremiah? Correct yourself.

Hon. Jeremiah Kuloba: Thank you, Mr. Speaker. I second the bill.

(Applause)

Mr. Deputy Speaker: Thank you so much the Honorable Jeremiah. Honorable members, I now propose that the Bungoma County State of the County address Bill 2022 be read a second time.

(Question proposed)

Mr. Deputy Speaker: Honorable members, I now put the question that the Bungoma County State of the County addresses Bill 2022 be read a second time.

(Question put and agreed to)

COMMITTEE OF THE WHOLE HOUSE

Order for Committee read

(Mr. Deputy Speaker [Hon. Stephen Wamalwa] left the Chair)

IN THE COMMITTEE

(Chairperson [Hon. Christine Mukhongo] took the Chair)

THE BUNGOMA COUNTY STATE OF COUNTY ADDRESS BILL 2022

Chairperson: Welcome members to the Committee of the Whole House to consider the County Address Bill 2022. So, shall we have the clerk to guide us, and I will ask all the Honorable members to cooperate as we proceed.

CLAUSE 3

Chairperson: I now propose the question, which is that the clause 3 be part of the Bill.

(Question proposed)

I now put the question that the clause 3 be part of the Bill

(Question put and agreed to)

Clause 4

Chairperson: I call the chairperson, please give us the amendments.

Hon. Tony Khaoya: Thank you, Honourable Chair. Clause 4 agree with amendments that clause 4 sub clause 4 be amended by inserting an apostrophe and the word Governor's so as to read, the Governor's address shall contain.

Chairperson: Thank you. I now propose the question which is that the clause 4 be amended as proposed.

(Question proposed)

I now propose the question, which is that the clause 4 as amended be part of the bill.

I now put the question that the clause 4 be amended as part of the bill.

(Question put and agreed to)

CLAUSES 5,6,7,8 and 9

Chairperson: Clause 5 clause 6 clause 7 clause 8 clause 9 they have no amendments. So I put the question that the named clauses be part of the bill

(Question put and agreed to)

Chairperson: Clause 10 be amended by replacing the word external media with accredited media.

Chairperson: I call upon the chairperson to give us the amendment.

Hon. Tony Khaoya: Honourable chair, I move clause 10 agrees with amendments that the clause 10 be amended by replacing the word external media with accredited media.

Chairperson: I now propose the question which is that the clause 10 be amended as proposed.

(Question proposed)

I now put the question which is that the clause 10 be amended as proposed.

(Question put and agreed to)

I now propose the question which is that the clause 10 as has been amended be part of the bill. I now put the question which is that clause 10 as amended be part of the Bill

(Question put and agreed to)

CLAUSE 2

Chairperson: Thank you chair, that clause 2 be amended as proposed. Chair Public Administration.

Hon. Tony Khaoya: Thank you, Honourable Chairperson. Clause 2 agrees with amendments that the Clause 2 be amended by having the following interpretation: the ‘Governor’ means the Governor of the County Government of Bungoma, while ‘year’ means the calendar year for the period beginning January and ending December.

Chairperson: I now propose the question which is that the clause 2 be part of the Bill.

I now propose the question, which is that the clause 2 be amended as proposed.

(Question proposed)

I now put the question which is that the close 2 be amended as proposed.

(Question put and agreed to)

I now put the question which is that clause 2 as amended be part of the bill

(Question put and agreed to)

CLAUSE 1 BUNGOMA COUNTY STATE OF COUNTY ADDRESS BILL, 2022

Chairperson: I propose the question that Clause 1 be part of the Bill.

(Question proposed)

I now put the question that the Clause 1 be part of the Bill

(Question put and agreed to)

CITATION OF THE BILL

An Act of County Assembly of Bungoma to provide for the delivery Annual State of the County Address by the Governor of Bungoma County to the County Assembly of Bungoma and for matters incidental thereto

Chairperson: I put the question that the Citation be part of the Bill

(Question put and agreed to)

Chairperson: Now I call upon the Chairperson of the Committee to move the motion of the bill to be reported to the County Assembly.

Hon. Tony Barasa: Thank you, Madam Chair. Under Standing Order No.146, I now move that the Chair of this able House reports progress to the County Assembly on Bungoma County State of the County Address Bill 2022. I call upon Hon. Caleb Wanjala to second the motion.

Hon. Caleb Wanjala: I second the motion Madam Chair.

Chairperson: I put the question that the Chair of the Committee of the Whole House reports to the Speaker.

(Question put and agreed to)

Chairperson: We will now report to the Speaker the resolutions. Honourable members, let us be up standing to welcome the Speaker.

(Committee of the Whole House ends)

(House resumes)

(Mr. Deputy Speaker in the chair)

Mr. Deputy Speaker: Thank you, Honorable Members. I now call upon the Chair of the Committee of the Whole House.

Hon. Christine Mukhongo: Mr. Speaker Sir, I want to take this opportunity to give the report of the House under Standing Order NO. 147, report of the Committee of the Whole House.

Mr. Speaker, the Committee of the Whole House considered the Bungoma County State of County Address Bill 2022 as follows;

Clause 3 of the Act was approved without amendments.

Clause 4, the Governor's Address was approved with amendments.

Clause 5, notification of place, date and time was approved without amendments.

Clause 6, Governor entering or leaving the chamber was approved without amendments.

Clause 7, delivery of Governors address was approved without amendments.

Clause 8, tabling and debate of Governors address was approved without amendments.

Clause 9, public access was approved without amendments.

Clause 10, external media was approved without amendments.

Clause 2, interpretation was approved with amendments.

Mr. Deputy Speaker: Thank you, Hon. Christine, Chair of the Committee of the Whole House. We appreciate you for your outstanding work during the committee of the Whole House. Honorable Members, I now call upon the Chair of the Committee of Public Administration; Hon. Tony Barasa.

Hon. Tony Barasa: Thank you, Mr. Speaker. On Standing Order 148(1) I move that the House does agree with the Committee in the said report.

Mr. Deputy Speaker: Thank you Honorable Members, I now put the questions that the House does agree with the committee on the said report.

(Question put and agreed to)

The ayes have it.

Honorable members, this Bill shall be read for the third time as shall be scheduled by the House Business committee. We now move to the next order.

THE BUNGOMA COUNTY GOVERNMENT FINANCE BILL, 2023

Hon. Everton Nganga: Thank you, Mr. Speaker. On behalf of the Chairperson, Finance and Economic Planning and the members of the committee this is a progress report on the Bungoma County Finance Bill, 2022.

I hereby rise to give a progress report on the Bungoma County Equitable Bill pursuant to Standing Order 146 that was tabled in the House during a special sitting on 2nd February 2023 and stood committed to the Committee on Finance and Economic Planning for processing. The committee conducted a public hearing forum at Santa Mara Hotel in Bungoma town on 13th February, 2023 as per the constitutional requirement to gather views from the stakeholders on the proposed bill.

Consequently, the committee is set to retreat and prepare a report to this House. We urge for more time to prepare the report for further consideration. I present this report on behalf of the chairperson Hon. James Mukhongo.

Mr. Deputy Speaker: This House grants you the time requested, so that you report back appropriately as requested.

We go back to statements and I want to call upon the Leader of Majority Party to give us the same report; Hon. Joseph Nyogesa Juma, sorry he has delegated the same to the Hon. Namaemba Violet Makhanu.

Hon. Violet Makhanu: Thank you, Honorable Speaker. I stand in for the Leader of Majority and I am on my feet to bring to the Assembly the Order of the Second Session of the day.

Tuesday 21st February, 2023 at 2:30 p.m.

Order of Business;

1. Prayers
2. National and East African Anthems
3. Prayers by spiritual leaders
4. Communication by the Speaker of the County Assembly
5. The Speaker of the County Assembly invites H.E. Governor to make his address to the Third County Assembly of Bungoma
6. State of the County Address to the Third County Assembly by H.E. Governor of Bungoma County Government
7. Adjournment by the Speaker of the County Assembly.

Wednesday 22nd February, 2023 at 9:30 a.m.

Order of Business;

Papers

1. The address by the Governor read by Leader of Majority
2. Report by Sectoral Committee on Gender and Culture and social welfare on the Bungoma County cultural heritage Bill, 2022

Notices of motion

1. That the thanks of the County Assembly be recorded for the exposition of the public policy contained in the address of the Governor delivered on Tuesday 21st February, 2023.
2. That this House adopts a report by the Sectoral Committee on Gender, Culture and Social Welfare on Bungoma County Cultural Heritage Bill, 2022.

Bills

1. The Bungoma County State of County Address Bill, 2022

A Bill for an Act of the County Assembly of Bungoma to provide for the delivery of the Annual State of the County Address by the Governor Bungoma County to the County Assembly of Bungoma and for matters incidental thereto. *Third Reading.*

Wednesday 22nd February, 2023 at 2:30 p.m.

Order of Business;

Motion

1. Debate on the address by the Governor- first allotted day. That the thanks of the County Assembly be recorded for the exposition of the public policy statement contained in the Governors address delivered on 21st February, 2023.

Thursday 23rd February, 2023 at 2:30 p.m.

Order of Business;

Motion

1. Debate on the address by the Governor second allotted day. That the thanks of the County Assembly be recorded for the exposition of the public policy statement contained in the Governor's address delivered on 21st February, 2023.

Mr. Deputy Speaker: Thank you, Hon. Violet Makhanu for the information. Honorable members, there being no other business to transact today, this House adjourns to Tuesday next week at 2:30 p.m.

(House Adjourns)