

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE HANSARD**

**TUESDAY 25<sup>TH</sup> OCTOBER, 2022**

**Afternoon Sitting**

**3<sup>rd</sup> County Assembly**

**1<sup>st</sup> Session**

**COUNTY ASSEMBLY OF BUNGOMA**  
**HANSARD OFFICIAL REPORT**  
**TUESDAY 25<sup>TH</sup> OCTOBER, 2022**

The House met at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

**PRAYER**

**COMMUNICATION FROM THE CHAIR**

Honorable Members, I have the following sets of communication to make:

First is the Communication from the Minority Party for the information of the County Assembly Service Board.

Reference is made to your letter referenced BCA/ CASB 34(2) of 11<sup>th</sup> October, 2022.

Mr. Speaker, we wish to inform you that Hon. Ali Machani Mutoka, MCA Maraka Ward has been nominated to represent the Minority Party to the County Assembly Service Board. Signed by Minority Whip Hon. Milly Masungu.

*(Applause)*

This is from the County Assembly of Bungoma - the Majority side of the County Assembly of Bungoma; Formation of the County Assembly Service Board.

Reference is made to your letter referenced BCA/CASB 34(2) of 11<sup>th</sup> October, 2022. Mr. Speaker, the Majority Party - Kenya Kwanza wish to inform you that Hon. Joseph Nyongesa Juma, MCA Tuuti Marakuru Ward has been nominated to represent the Kenya Kwanza Coalition for the County Assembly Service Board (CASB). Thank you, signed by Hon. Simiyu Meshack Museveni - Majority Whip, County Assembly of Bungoma.

You will be sworn in after this Session Hon. Machani Ali Mutoka and Hon. Joseph Nyongesa respectively.

The third Communication is meant for Members consumption and informing the relevant individuals in their respective Wards or areas of representation.

It is from National Council of Members with Disability, to the Speaker of County Assembly of Bungoma on registration of Persons with Disabilities.

The National Council of Persons with Disabilities is a State Corporation established through an Act of Parliament and charged with the responsibility of coordinating duties of Persons with Disabilities in advancing their lives.

Honorable Members kindly take your seats before I proceed.

*(Honorable Members proceed from the bar to their respective sitting positions)*

In 2004 following the enactment of PWD mandate to mainstream disability issues in Kenya, the Council was placed under the Ministry of Labour and Social Protection. It is mandated to manage registration of Persons with Disabilities for planning purposes. The Council has planned for mass registration exercise for Persons with Disabilities, more so those on the cash transfer programme.

The exercise is scheduled for 1<sup>st</sup> November, 2022 to 3<sup>rd</sup> November, 2022 for Bungoma South Sub County while in Kimilili sub County it will be conducted from 4<sup>th</sup> November, 2022 to 8<sup>th</sup> November, 2022.

It is for this reason that as we embark on the registration exercise, we request for assistance from the Members of the County Assembly to assist us in identification, mobilization and registration of Persons with Disabilities through the Chiefs' offices.

Attached, please find the itinerary for the exercise. We strongly appreciate the assistance accorded.

Rosemary Amiru,

The Senior Disability Service Officer, Bungoma.

The timetable is as follows Honorable Members...

Honorable Members at the back take your seats please.

At the Chief's camp Ekitale - 1<sup>st</sup> November, 2022

Kibabii Chief's camp - 2<sup>nd</sup> November, 2022

Musikoma Chief's camp - 3<sup>rd</sup> November, 2022

Kamusinde Location Chief's office - 4<sup>th</sup> November, 2022

D.O's Office Kamukuywa 7<sup>th</sup> November, 2022

Public Works office Kimilili 8<sup>th</sup> November, 2022

We will be having the same on your WhatsApp group Honorable Members for your connection with the relevant Committee or Council.

Honorable Members, this is a message from the Governor, County Government of Bungoma through the County Secretary and Head of Public Service addressed to the Clerk County Assembly of Bungoma, box 1886- 50200 Bungoma.

Submission of the documents for nominees for consideration for appointment to the positions of County Executive Members (CECMs)

Following the announcements of nomination of the County Executive Committee Members by His Excellency the Governor, on 11<sup>th</sup> October, 2022, I hereby submit the list of the nominees for your further action as required under the law.

Thank you for your consideration.

Wambati J.W.,

The Secretary and Head of Public Service

The following names are;

1. Dr. David Mamili Wanyonyi - Department of Education and Vocational Training
2. Herbert Wanjala Kibunguchi – Department of Environment Water, Tourism and Natural Resources
3. Caroline Khalai Makali – Department of Trade, Energy and Industrialization
4. Bonventure Chemaket – Department of Roads, Transport, Infrastructure and Public Works
5. Dr. Andrew Wekesa Wamalwa - Department of Health and Sanitation
6. Nancy Charity Kibaba – Department of Gender, Culture, Youth and Sports
7. Monica Salano Fedha – Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development
8. Wekesa Douglas Sasita – Department of Land, Works, Urban and Physical Planning, Housing and Municipalities
9. Benedicto Esiromo Emachar – Department of Public Service Management and Administration

As is the practice, this list is now hereby committed to the Committee on Appointments chaired by the Speaker for processing and reporting back to the House. I will ask that the Committee on Appointments stays back for half an hour for their first meeting to process the list.

## PAPERS

### LEGISLATIVE CALENDAR

**Hon. Joseph Nyongesa (Leader of Majority):** Mr. Speaker, allow me to table the proposed Calendar for the year 2022 in our Third County Assembly, First Session.

**Mr. Speaker:** Honorable Members, the Third County Assembly of Bungoma Legislative Calendar for the year 2022 is hereby tabled and is now the property of the House.

## STATEMENTS

### ORDER OF BUSINESS OF THE COUNTY ASSEMBLY FOR THE WEEK COMMENCING ON TUESDAY 25<sup>TH</sup> TO THURSDAY 27<sup>TH</sup> OCTOBER, 2022

**Mr. Speaker:** We need to have the weekly Order Paper read to us by Hon. Lusenaka our Leader of Minority.

**Hon. Anthony Lusenaka (Leader of Minority):** Mr. Speaker, I have the weekly programme of Business of the County Assembly commencing on Tuesday 25<sup>th</sup> to Thursday 27<sup>th</sup> October, 2022 for the Third County Assembly's First session.

On today Tuesday 25<sup>th</sup> October 2022 at 2:30 p.m., the Order of Business will be;

Prayer

1. Administration of Oath

2. Communication from the Chair

3. Messages

4. Petitions

5. Papers

- The third County Assembly legislative calendar, 2022

6. Notices of Motion

7. Statements

8. Motion

- Approval of the calendar for the House pursuant to the provision of Standing Order number 31; this House approves the calendar of the County Assembly for the first session, 2022 as contained in the schedule of the Order Paper.

**On Wednesday 26<sup>th</sup> October, 2022 at 9:30 a.m.:**

The business will be;

Prayer

1. Administration of Oath

2. Communication from the Chair

3. Messages

4. Petitions

5. Papers

- Report by Committee on Selection on nomination of Members to serve in the Assembly Committees

6. Notices of Motion

- That this House adopts the report by the Committee on Selection, on nomination of Members to serve in the County Assembly Committees.

7. Statements

8. Motion

**On Wednesday 26<sup>th</sup> October, 2022 at 2:30 p.m.:**

Prayer

1. Administration of Oath

2. Communication from the Chair

3. Messages

4. Petitions

5. Papers

- Address by the Governor

6. Notices of Motion

- 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 18<sup>th</sup> October, 2022.

7. Statements

8. Motions

- That this House adopts the report by the Committee on Selection on nomination of Members to serve on various County Assembly Committees.

On Thursday 27<sup>th</sup> October, 2022 at 2: 30 p.m.:

Prayer

1. Administration of Oath

2. Communication from the Chair

3. Messages

4. Petitions

5. Papers

6. Notices of Motion

7. Statements

8. Motion

Debate on the address by the Governor and thanks by the County Assembly regarding the exposition of the Public Policy contained in the address of the Governor delivered on Tuesday 18<sup>th</sup> October, 2022.

**Mr. Speaker:** Hon. Lusenaka as a practice it is laid on the table. You don't go with it.

**Hon. Anthony Lusenaka (Leader of Minority):** Most obliged Sir.

**Mr. Speaker:** Thank you Hon. Lusenaka on behalf of the HBC.

## **PROCEDURAL MOTION**

### **THE CALENDAR OF THE COUNTY ASSEMBLY REGULAR SESSION FOR THE FIRST SESSION, 2022**

**Hon. Joseph Nyongesa (Leader of Majority):** Thank you. Allow me move the procedural Motion that pursuant to the Standing Order number 31; that this House approves the Calendar of the County Assembly regular session for the first session, 2022 as contained in the Schedule on the Order Paper. I think Members have it on their gadgets. The proposed calendar is as follows:

Our first session shall start on 25<sup>th</sup> October on Thursday which is today. It will run up to 1<sup>st</sup> December, 2022.

**Mr. Speaker:** Honorable Leader of Majority, it is Tuesday...

**Hon. Joseph Nyongesa:** Thank you. That the session shall run from today 25<sup>th</sup> of October to Thursday 1<sup>st</sup> December, 2022. The sittings will be on Tuesday afternoon, Wednesday mornings and Wednesday in the afternoon, while on Thursdays it will be only in the afternoon.

Section B is about the long recess; our long recess will start on Friday 2<sup>nd</sup> December and will run up to Monday 13<sup>th</sup> February 2023.

In part C we have allocated Tuesday 14<sup>th</sup> February, 2023 purposely to enable the House consider the subsequent calendar for the House for 2023. Members should note that afternoon sessions shall start at 2:30 p.m. and end at 6:30 p.m. while morning sessions shall start at 9:30 a.m. and end at 1:00 p.m.

That is the proposed calendar. Allow me call my counterpart to second.

**Mr. Speaker:** Now you need to call him because who is this counterpart of yours?

**Hon. Joseph Juma:** Mr. Speaker I call upon the Honourable Leader of Minority to second.

**Mr. Speaker:** Hon. Lusenaka leader of minority kindly proceed.

**Hon. Anthony Lusenaka (Leader of Minority):** Thank you Hon. Speaker. I did not know that my second name is counterpart, but that is on a light note.

I rise to second this procedural motion on the calendar of the County Assembly of Bungoma regular session, 2022. We have been operating in the dark but at least now we know which days we are supposed to come to the Assembly. Members have been asking on the forum if they are supposed to come, even today, but this one gives a clear outline on when we are supposed to be here and at what time.

From the calendar, we will have along recess of almost two and half months, which is from 2<sup>nd</sup> December to 13<sup>th</sup> February. We are supposed to resume on Valentine's Day.

**Mr. Speaker:** I don't know...

*(Laughter)*

**Hon. Anthony Lusenaka:** That is 14<sup>th</sup> February in 2023. I just want to request Members that we take advantage of the long recess to organize committees, we plan for the induction of those committees and any other activity that may arise. We can have the induction activity for the Whole House, although we did one in Nakuru. We need to organize for our own, we need to

organize for committee retreats and this recess gives ample time to the Members in various committees as we will be discussing in the course of the week to organize and acquaint themselves with whichever committee we will have been placed on. I want to second the motion and say that we are ready to proceed with the task ahead of us.

**Mr. Speaker:** Hon. Lusenaka in the course of your submission you have talked of a retreat being sponsored by the Executive, I think that one should be expunged from the HANSARD record, it is not in order, and you understand what I mean! So there was an induction activity in Nakuru for the Honourable Members and it was taken care of by the Assembly, for the HANSARD record! That is the position. You can go out there and ask after this why I am saying so.

I will now propose a motion for debate. Honourable Members a procedural motion has been moved and seconded that this House approves the calendar of the House as proposed. I propose.

**Hon. James Barasa:** Thank you Hon. Speaker, I rise to support the procedural motion that is before this Honourable House, but I have the following remarks.

Indeed we are going to approve this calendar and it is a guiding tool to have business in this Honourable House. My request is that many times we have been approving our calendar; and this I need to be informed when the mover will be replying, whether the Executive will also have a copy because there are some documents that are supposed to be tabled within this period and you will find the Executive takes a lot of time instead of bringing those documents in time. They will bring them after we have gone for our long recess or maybe even during the short recess. So you need to share with them Hon. Speaker so they can also beware of our programme.

Secondly, I wish to echo the sentiments of the seconder of the motion that when you look at our calendar, the long recess is more than the days we are going to be here for the normal sittings. It is very good that this afternoon you have communicated to us the Leadership of the Service Board, how I wish and plead that as you undertake your work with the Service Board, you plan for the welfare of the Members. By so doing, we want to get engaged all through even after Christmas. The month of January you know is also long and some of us have come from tough moments; and when I say so you also understand. When you check in my pocket I don't have even a single cent.

**Mr. Speaker:** No I don't check Honourable Members, you understand this.

**Hon. James Mukhongo:** I can allow you at a later time. I don't have anything in my pocket and it is the responsibility of the Service Board to plan for us so that we can have something in our pockets, otherwise I support the procedural motion.

**Mr. Speaker:** Thank you Hon. James Barasa, I will now have Hon. Kawa and Honourable Members we were given the cards like an ATM, so you know anytime you want to go the ATM and you know there is enough money, you give that card to me; if there is no money I don't want

to keep that card for you. Hon. Kawa you go then I will have Hon. George Makari, Hon. Ali Machani Mutoka and Hon. Waiti Wafula as per the record, the rest will follow accordingly.

**Hon. Jack Kawa:** Thank you Mr. Speaker. I am on my feet to support the motion on the floor being the first motion for the third Assembly. As Hon. Mukhongo has just winded, we would like the Leadership and the Service Board to actually look at the welfare of the Honourable Members. Let us not lie to ourselves, the issues of ‘Sarah Serem’; we used to call her Sarah Serem from 2013-2017 and when I say Sarah Serem for those who know her know what I am talking about. That we must look at these Honourable Members and make sure that we are engaged all through; because I am told when I am seated here today being the 25<sup>th</sup> of October, I am not going to get anything. I don’t know, but it worries us...

**Mr. Speaker:** Hon. Kawa you know I don’t understand sign language.

**Hon. Jack Kawa:** Secondly, I want to plead with the Executive, now that our beloved Governor has brought the list of the CECMs to take up the positions, let us look at our boys and girls who are at home because of school fees. Now that we are going for the long recess from the 1<sup>st</sup> of December to February, they must move with speed and make sure we harmonize the normal bursary.

**Mr. Speaker:** Hon. Kawa you are diverging from the motion before the House.

**Hon. Jack Kawa:** I am not diverging Mr. Speaker. Before we go for our long recess, we must move with speed so that we can harmonize the normal bursary because the whole of this year we have not disbursed any funds and that is what I mean.

**Mr. Speaker:** Hon. Milly under which Standing Order.

**Hon. Milliah Masungo (Minority Whip):** ...96.

**Mr. Speaker:** We will confirm before we allow you to proceed... you are allowed proceed you are in order.

**Hon. Milliah Masungo: (On a Point of Order):** Thank you Mr. Speaker, I only wanted to inform my senior that the motion...

**Mr. Speaker:** You specify which senior.

**Hon. Milliah Masungo:** The Honourable Member representing Bokoli Ward, Honorable Jack Kawa that the motion on the floor is about the calendar of this House; so him diverting to the CECs I think is out of order.

**Mr. Speaker:** Members that Standing Order number 96 has three components; point of order, point of inquiry and point of information, so what you are telling us is point of information which is 96 (2). Hon. Kawa proceed please.

**Hon. Jack Kawa:** Thank you for making my neighbor who is Hon. Milliah and also the Minority Whip. What I was saying is that this is our calendar which is supposed to guide us, but I was just informing this Honourable House that as we look at our calendar, it tells us that on 1<sup>st</sup> of December we are going for our long recess up until February. I want to plead with elected leaders that we have a lot of tasks ahead of us. So I was just bringing that idea of making sure our normal bursary is looked into before we proceed for the long recess.

**Mr. Speaker:** Let me now have Hon. George Makari then Hon. Ali Machani Mutoka who will use the dispatch.

**Hon. George Makari:** Thank you Hon. Speaker. First of all I want to support the motion as laid on the table by the Leader of Majority. Arising from what my colleagues have stated away from the long recess of December 1<sup>st</sup> to February 14<sup>th</sup>; where my colleague Hon. Lusenaka said is Valentine's Day, although not a holiday, you being the leader of the Service Board, we would also like for you to make use of the short recess in between to assist these Members on the side of welfare, especially in the committees.

Picking from what Hon. Kawa has said about the SRC, you see the National Parliament is pushing for their welfare, to return the payment of sittings and I hope they already struck a deal with SRC; but County Assemblies all over the country are going to miss out on sitting allowances. Through you as the chair of CASB and also a member of (CAF) County Assembly Forum, we will implore you to fight for the sitting allowances to be given back.

It will be very sad for the new Members who have just come in, that they will not be getting the sitting allowances; and even for us the old Members who are serving the second and third terms, that that allowance is scrapped. You will find that when the allowance of KShs.3, 900/= per day for the four sitting days reflects on the pay slip, then you are given a mortgage and a loan, it will assist in repaying the same.

So as I support the motion, I would like to ask that through you as a Member of CAF and the Leader of this County Assembly, you must fight for the welfare of these Members so that the sitting allowances are returned.

Just to digress a bit from the topic at hand, today I have been moved while coming in Hon. Speaker. There were goons at the gate who wanted to stone my vehicle and they told me, "If you are not entering in fast, we are stoning you." I told them that now can you begin stoning, but they didn't stone me. So let us assure Members of their safety and security while in this House.

**Mr. Speaker:** Thank you Honourable Member, I was to make that communication after finding out but just in brief; Honourable Members who are part of us who are organizing those picketing and protests, you do so in an Honourable way and we don't want you to interfere with the sittings of the House. Because when you come here with goons, you endanger the lives of Honourable Members; and new Members here may even run away from coming to the House.

So Hon. George Makari I have taken note and I think next time if they do not organize themselves properly, I will have all of them including Members of the Assembly arrested.

So they should feel protected to come here and debate as it is their core mandate. So those who are protesting and picketing, it is your constitutional right, but even *uwanja ndege* (air strip) is free for you to go there or the slaughterhouse.

I think we should not go there, let us have respect for Honourable Members. Hon. Ali Machani Mutoka you can use the dispatch box but next time when you want to go away you will need to bring your card so that I keep it for you.

**Hon. Ali Machani:** Thank you Honorable Speaker. First of all I want to thank the Leader of Majority and the Leader of Minority for bringing in this House a procedural motion on the Assembly calendar.

We want to thank God that today we are here as Honourable Members both elected and nominated to represent various interests in this House. In this House we are guided with documents and I want to thank you Speaker that you have laid a roadmap that from today onwards the Honourable Members can have something to answer to the electorates who brought them to this House; that they have started their legislation duties.

A procedural motion having been proposed and seconded and you have given us time to also debate on how we are going to be guided by calendar. We have come from elections and I remember the day you adjourned and told us to go back to the people so that they can re-elect us, where some of us managed to come back. For one to be elected or nominated he or she must have done some ground work either directly to the party or to the voters. I want to thank you for defending all Honourable Members in this House; that no one can stand up and pronounce that you are here illegally and un-procedurally. Because among the many contestants at the Ward, you have been elected or those lined up for nominations you are picked and gazzetted, The Party is involved to enable one to come and represent an interest in this House. As Members in the House and having been here before, let us respect those in this House and move together and away from our political affiliations.

Mr. Speaker, the voters have been asking when we were to start our work in this House and majority of them are aware that once you have been sworn in you start earning salary. People are at our gates and Honourable Members can agree with me that respect to this calendar, when we go for recess people will be coming home for Christmas and other festivals. Therefore, it is through your wisdom that you put us together and make arrangements with your deputy who is also the chairperson of Liaison Committee; so that the committee can come up with events that they are going to undertake, so that we can recover time that have been lost from the day we were gazzetted.

The activities that are supposed to be conducted were budgeted for and you reminded us this morning that we should work on our welfare and all members here would like to enjoy the privileges accorded to them, without disadvantaging others.

The calendar that has been proposed by the two leaders is a guide for us and I want to thank Hon. Mukhongo for adding flesh on it. From experience the Executive wing has always been back tracking us; I want to thank H.E. Governor Kenneth Lusaka for bringing the names of the County Executive Committee Members. It is upon the committee now to fast track this so that the Assembly can deal with it.

As Members are sited here it is now up to us to think fast because some Members can look for residential houses since some of them come from as far as Chepyuk or Tongaren. If we cannot fast track the formation of committee's Honourable Members will not be able to pay the landlords on time. I want to thank the Leaders because this procedural motion will fast track all issues that were stuck at the Assembly. Let us mean what we say and say what we mean so that we avoid confusion. My appeal to Honourable Members is that if you feel like a colleague has offended you or there is something that your colleagues has not done right, kindly call him aside and talk to him without making alarming statements. Because we must show that we are indeed leaders both in public and private life.

**Hon. Wafula Waiti:** Thank you Mr. Speaker. One, may I request that I take this opportunity to thank my electorates who elected me to this House. It is with great pleasure and pride for me to be here courtesy of my electorates in Naitiri. I would like to unconditionally let you know that I once served in this House as a Councilor some 20 years ago and it was not easy me to come here again. It is for this reason that I want thank the good people of Kabuyefwe. I ask for God's wisdom to guide me so that I do the best for them, because I believe that they are my employers. I wish them the best and may God grant them good health as they look forward for the services from me. I thank you Mr. Speaker.

On the business before us, I believe we took time and chose men and women and this House to plan and work for us. I believe what they have done considers what we deserve. As my colleague members have alluded to, staying at home with the electorates for two months is tiresome and how I wish that the committees will be in place through your guidance and leadership to enable us sit and plan for the businesses that will come before this House.

**Hon. Francis Chemion:** Thank you Hon. Speaker. I would like to take this opportunity first of all to congratulate the House Business Committee for coming up with the calendar and your Leadership. I want to add something about this calendar; for all of us the calendar is not cast on stone, it will be our timetable after approval but if there will be anything that we feel, in

discussion with the HBC, this timetable can be altered. It is going to guide us, but if we feel there are other important businesses that we need to transact after the 2<sup>nd</sup> of December, the House can liaise with HBC and we do alteration of the calendar.

For now we are supporting what the HBC has come up with; we will continue and see what happens and if there will be no emerging issues, then the calendar remains. If there will be other emerging issues like what was shared by Hon. Mukhongo who is one of the Senior Members' of this House; if there will be emerging issues that will require the House to, after the calendar has expired especially during long recess, there are avenues that are given by our Standing Orders that allow us to either convene or alter the calendar.

**Hon. Violet Makhanu:** Thank you Honorable Speaker for giving me the opportunity to speak on the motion. I want to appreciate the House Business Committee where I am a Member for coming up with the timetable. My concern is about the long recess; you realize that we just came back from the elections and you know what we went through during the campaign period; which was expensive and tiresome. We are talking about going home for about two months and I am sure this House understands what it means being at home with the electorate for that long period without money. We spent all we had and at the moment we are merely trying to make ends meet without money. I want to request this House through the Chair and the Leadership of the House that during long recess you need to make us busy. You should come up with programs if possible to make as busy outside our homes. We have many things to do as Honourable Members and you even know that we are yet to know each other. If you asked me to mention the names of Members in this House...

**Mr. Speaker:** You will have room for bonding Hon. Violet.

**Hon. Violet Makhanu:** I was aiming at saying that Mr. Speaker. That during the long recess you can prepare for bonding sessions amongst ourselves because we need to bond and understand each other. We also don't know our members of staff; you remember when we were leaving this Assembly new staff were coming in and the new Members who have come to this Assembly for the first time; I think need time with our members of staff to know them and their departments.

I don't know whether we have the Liaison Officer in this House, that if possible our Governor should also be told that we need to bond and know the Executive. You realize that we have a lot of activities if planned that as an Assembly we will not even have time to go home for two months. We might be at home for a week and the rest of the weeks we are out bonding and planning for many things that we are going to do for our people before we resume from the long recess. I thank you Mr. Speaker.

**Hon. Hentry Nyongesa:** Thank you Mr. Speaker. I belong to the procedural motion that has been tabled here being a Member of the House Business Committee. Where I sit I don't like giving up but I was almost doing so because those who elected me had started saying that I was yet to begin discharging my duties. I take this opportunity to thank you and the entire committee for coming up with the procedural motion; and when I look back, it is now three months since the elections were held and as other Members have indicated, even the general public was wondering about the duties that we are supposed to carry out. I think this is road map on how we are going to carry out our business. Like any other institution; I fellowship in Salvation Army where during Sundays we have two sessions and we normally have an outdoor session where we go to the market and carry out our service from there before going back to the church.

Now we have set up the time table for this House, I wish to request that we are State Officers and I was somewhere and was told that we normally do charity work where we are; so I was almost thinking that I have already started charity work because I am not being paid for almost three months. I want to echo that now that the Leadership has tabled the calendar, the Service Board which is going to carry out the welfare of these Members and Members have already alluded that as we are talking, I normally look at Hon. Museveni when he walks; he looks like he has the money but he has never empathized with me.

If you are very keen, I am also one man who does not have a single shilling, so I want to applaud this and move that we are here and we discharge these duties. I want to finish by saying that as you mentioned, some people will start wondering how we are supposed to respect the law, because we are the law makers and we need to respect the law; and we have been on oath preaching that we are going to uphold the law. I am one who has been so much afraid and have been asked a lot of questions why I am not picketing. I respect the law. Whoever wants to do anything must follow the law and I want to wish that this House follows the law to the later.

**Mr. Speaker:** Thank you. Before I go to Hon. Milliah, there is a request that was done here by Hon. Alfred Wekesa; I will allow him to speak.

**Hon. Alfred Wekesa:** Hon. Speaker, thank you very much for this chance. First of all I want to thank my people from Ndivisi for having given me a chance to serve these people of Bungoma. I last served in this Assembly in 2013, and that was the last time I was here. This is an honor I was given considering that I have been out for the last ten years as a Councilor. I served with *Mheshimiwa* (Hon.) Museveni and Hon. Mukhongo and that was nice time. Back to the point, the recess we are going to be given from 2nd of December is going to be along one and as you know, we have been away for the last almost two months and it has been very difficult getting money; and it is an issue and you know the electorates do not know. Once they see you it is always about money.

**Mr. Speaker:** Are you saying your other name is money?

**Hon. Alfred Wekesa:** No! Hon. Speaker what I am saying is that we are perceived as an ATM and that is money. As I am seated here I have just been sending some 800 bob to somebody travelling to those sides of Kisii and that is why we are saying, it is going to be a long one. How I would wish that this Honourable House does something that can help us as Members of the County Assembly to run from 2<sup>nd</sup> up to 13<sup>th</sup> which is a very long period. How I wish as somebody put it that Sarah Serem who has been for Salaries and Remuneration commission where she has put this House...

**Mr. Speaker:** Just to correct you; the current Chair of SRC is Madam Kimingich and not Serem.

**Hon. Alfred Wekesa:** Whoever took over from Serem and I think there is a problem. Considering that the National Assembly wherever they are, they are doing things for themselves. They do not consider us as being in the same level. I know anything they do is for their own benefit. So, it is a problem actually when you look at these Members. The period you are going to be given is a long one, so what I would wish that you do for this Honourable House maybe we can continuously have meetings in order to run away from these people. Otherwise, it's going to be a problem.

*(Laughter)*

That is true because at home...

**Mr. Speaker:** Hon. Wekesa, you run away from your voters. That is very serious!

**Hon. Alfred Wekesa:** You know Hon. Speaker. It is true... actually it is a problem.

*(Loud consultations)*

**Mr. Speaker:** Order Members please!

**Hon. Alfred Wekesa:** Three, Hon. Speaker, as you know we have projects to run right from around this coming month and it is quite a lot. Considering that maybe like in my Ward I have about six programs to run and by February I think I will have finished, so you can imagine staying at home like I have said is just an issue. So please put us in consideration.

**Mr. Speaker:** Thank you Hon. Wekesa.

**Hon. Tim Chikati:** Thank you Mr. Speaker. Let me take this humble opportunity also to thank the great people of Ndalu/Tabani for giving me chance to serve in this great County Assembly of Bungoma. I just want to echo what Honourable members have said about the long recess and how I would have wished that the operations fund could be available, so that during those two and a half months, these great Members of the County Assembly could use that opportunity to do some development projects in their Wards. Other than that, I do not think that these great

Members will be in their Wards. Most of them will go out because of the pressure from their electorate.

Secondly, I would like to request that the timetable be shared to all Members either through their official emails or through the County Assembly website so that we can be kept informed on what is going on; where we should be at what time. I request that if the time table can be shared with us not only through whatsApp but through our official emails and through the County Assembly Website.

**Mr. Speaker:** Thank you Hon. Tim Chikati.

**Hon. Milliah Masungu:** Thank you Mr. Speaker Sir for catching my eye. I also want to thank my Leaders and the HBC committee which I am also a Member for having formalized our working procedure in this Honourable House. Three months staying at home with voters, you end up missing what to tell them because you are always there with them. You have no excuse especially for us women, we are always there in the morning.

**Mr. Speaker:** Hon. Milliah! Are you alleging that our Honourable Members do not stay at home? Is that what you are trying to say?

**Hon. Milliah Masungu:** I am not saying so Speaker, but sometimes we excuse ourselves when we come here for debate and do business on the floor of this House. It gives us ample time to also to do our private business besides staying in the Ward. So I wish to thank my colleagues on the HBC.

**Mr. Speaker:** Hon. Milliah you are protected! I wish to know which private business you conduct away from home, but you are protected.

**Hon. Milliah Masungu:** Thank you Mr. Speaker for that protection. I was only giving my comment and I know most of my friends here are happy with those comments because staying at home from morning especially for the women... I specifically said women because we do not have a second home.

*(Laughter)*

*(Applause)*

Mr. Speaker I have nowhere else to call home other than Mr. Masungo's home where I board on daily basis.

**Mr. Speaker:** Hon. Masungo we do not know, please!

**Hon. Milliah Masungu:** I want to thank you for having given us the order of working and I want to pray that we stay committed now that you have given us the timetable.

Secondly, I was only wondering about this long recess, but again am encouraged with a few comments that I am hearing from my colleague Members. How I wish you took those comments seriously especially the comments from Hon. Barasa Mukhongo. Kindly, I want to be on transit while on recess. Transit meaning I am transacting business of this House in retreats, bonding sessions and all that.

I only stood to laud the committee on HBC and also our Leadership; that as my other colleagues have said kindly assist us stay well during that long recess. Maybe to finalize Honourable Members, we shall resume this House my dear sisters, young girls on Valentine's Day, so kindly the dressing code... I submit.

**Mr. Speaker:** Hon. Milliah, your advice is taken but now the Speaker's dress code remains the Speaker's dress code.

**Hon. Job Mukoyandali:** Thank you Mr. Speaker. I also rise to support what the Members of the House business came up with. I was only trying to sit down and imagine how I will be in my village for almost three months without doing anything. Sitting there with my voters and looking at them each morning and you know from where we sit as leaders it is so much chaotic. I just want to thank and support the Honourable Members for having come up with that calendar and I say it is good for us; and also ask you within your powers that some of us really have energy to travel around this world.

Within those months that we are going to be away, kindly we want to work for this nation and we want to work for this maiden County. We want to make this Assembly livelier than what it has been through the programs that are going to be set. I want to believe that we are really going to make sure that we get out, develop more programs and good things for this County; and make it lively.

Lastly, I want to thank each Honourable Member that for this particular cause, each one of us is looking at the three months we are going to be away and for once I realize we are playing in the *Ubuntu's* style.

**Mr. Speaker:** Which style?

**Hon. Job Mokoyandali:** The *Ubuntu* style. I was reading some analogy about *Ubuntu*. I will not say much about it but briefly. In the West African Stories, there was a man called *Ubuntu* who decided to pick sweets and put in a basket and put them under a tree. Then he told children that whoever reaches the sweets first will take all of them. The children decided to hold each other's hand and they ran together and reached the sweets all together. Then each one of them picked a sweet and they shared all the sweets amongst themselves. Each one of them was very happy. When they were asked what they had done. They answered; "*Ubuntu!* Today I am because we are." I would like to ask this Honourable House that we continue supporting one another because I am because we are.

**Mr. Speaker:** Thank you Hon. Job.

**Hon. Tony Barasa:** Thank you Hon. Speaker. First, I would like to thank you with the leadership and HBC team for coming up with this wonderful calendar. We have no doubt that what is touching all of us is to have a successful year or calendar that will bring the services of our people and deliver the promises we gave them.

I also want to thank this House. I have just travelled from Nairobi and I am among those people who were contesting for the Secretary General post of this republic under CAF and through your prayers, yesterday we had a very vigorous team. Out of six, we remained two and what Members are speaking about their welfare; remember we used to have the 39 sitting allowances in this House and I have promised the whole Country that if given opportunity to become the Secretary General; you remember even in 2013 this sitting allowance was there and in one way or another it was banned by SRC that is Sarah Serem by that time. Through the leadership of CAF they got a court order which stopped the ban. Nothing is going to stop the leadership of CAF to get a court order so that Members of County Assemblies, the way the Senators and the Members of Parliament are getting the House allowance is going to happen. Mr. Speaker I am also grateful that the negotiation that is going on between the National Assembly *chini ya maji* (under wraps) sorry...

**Mr. Speaker:** Hon. Tony Standing Order number 90 guides you if you choose to speak in *Swahili*, you do it to the end.

**Hon. Tony Khaoya:** Thank you Mr. Speaker. I am guided. We are grateful for the long recess. I think Honorable Members will be busy somewhere. I know the CASA games are coming and I think with your office and together with our leadership you can facilitate our Members besides being idle; through the engagement of having some activities in the field and they can be given some little things so that they engage wherever they will be in their constituencies or Wards. I wish to thank this House and the leadership of HBC (House Business Committee) for coming up with this calendar.

**Mr. Speaker:** Thank you. I will have Hon. Benjamin, I have seen Hon. Jack. Do you also wish to speak because I am seeing your request on the microphone here? Hon. Benjamin proceed please.

**Hon. Benjamin Otsiulah:** Thank you Mr. Speaker for giving this momentous opportunity to rise in support of the procedural motion before the House. First of all I also join able Honourable Members in thanking the Members of the House Business Committee for undertaking exemplary work. We are now guided as new Members in this House and I believe that key to this is the welfare of the Member. I know committees are coming up, but as I was walking around town yesterday, I realized that members of this House; some of them new Members were operating on motorbikes. You have practiced law in this House for more than 15 years you know the effects of the Work Injury and Benefits Act. We don't want to see an Honorable Member getting injured

while on duty. Please move with speed, move with urgency and ensure that you invoke the solid provisions and all the mechanisms available to ensure that our Members are moving well. In brief I am saying that ensure the car loans are being processed in good time so that our Members are safe. Looking at the calendar, it means that this year we are having a very wonderful holiday, from the first of December to Valentine's Day. I know Hon. Milliah has said that we arrive here on 14<sup>th</sup> of February 2023 dressed in red. I happen to have been born on the 15<sup>th</sup> of February; so on that day Mr. Speaker let Members prepare to come with presents and gifts to this Honourable House because they will be coming to welcome me officially to this third House. Finally, I know Hon. Milliah is getting impatient Hon. Violet sorry...

**Mr. Speaker:** They are wondering if you are born on 15th of February, when was the conception? That is the question they are asking...

*(Laughter)*

**Hon. Benjamin Otsiulah:** My final submission is on the issue of the long recess. The committees that are going to be formulated as far as it concern the welfare of the Members and the Leadership of this House please expedite. We need to move with urgency because I know we are not being paid for the month of August, we will be paid for nine days in September. We must get something to use because we are attending several funerals. I know we do not want our people to die, but we must attend those funerals and in December we are going to attend several weddings. Thank you Mr. Speaker, I beg to support the procedural motion before the House.

**Mr. Speaker:** thank you Hon. Benjamin Otsiulah. I will have Hon. Joseph Nyongesa to reply to the motion accordingly.

**Hon. Joseph Nyongesa:** Thank you Mr. Speaker first and foremost, I want to thank Honourable Members for supporting the procedural motion for the HBC; as a mover I am so proud. Mr. Speaker one thing is that actually the issue of welfare is key to every individual in this House, but we are proud of one thing. One of us whom we have seconded to CAF the Hon. Tony I know he is fighter and him being there, we are sure that actually our plenary sittings shall be paid.

But again as leaders in this House, we should also go an extra mile to ensure that what was planned and budgeted for us shall be properly utilized in this House because Members are getting worried on how the long recess will end. What *Mheshimiwa* (Hon.) Lusenaka said that this long recess we have various activities that will ensure that every Member is well taken care of because tomorrow we shall be installing the committees here and we shall be having training inductions.

You will realize that if not well planned, we may not even complete our activities within that period of December to February; so Members be assured that all that time will be well utilized. Mr. Speaker what *Mheshimiwa* (Hon.) Mukhongo raised about the issue of maybe delays in

documents; this is a new government and as a rule of law a new government has got its own way of operations. We shall ensure that all is well and we won't repeat the same mistakes that were done in the previous regime. As I close up, I know I was somehow amused when Hon. Wekesa said that we should find a way of running away from our electorate. Hon. Members you know we are here because of them, let us not run away from them; let us be with them, let them understand us. Let us be open and free with them because it does not mean that when you sit with your electorates you should pay them; but it is just a matter of maybe getting used to how to operate. Otherwise thank you so much Members for supporting. As your leaders we shall do our best.

**Mr. Speaker:** Thank you Hon. Joseph; Hon. Members the last stage of this motion is that I will be putting up a question for the House to make its decision.

Honourable Members pursuant to the provisions of the Standing Order 31; that this House approves the calendar of the County Assembly regular session for the first session of 2022 as scheduled in the Order Paper

*(Question put and agreed to)*

I direct that this calendar:

1. Be gazetted officially in the Kenya gazette.
2. Be shared with the Executive for them to know our sittings accordingly; to pre-empt what Hon. Mukhongo was saying that they bring documents when we are in recess instead of us having them when we are in session.

Honorable Members we adjourn our sitting for today to resume tomorrow on 26<sup>th</sup> October, 2022 at 9:30 a.m.

We adjourn accordingly Honourable members; have a good evening.

*(House adjourns)*