

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE HANSARD

WEDNESDAY 26TH OCTOBER, 2022

Afternoon Sitting

3rd County Assembly

1st Session

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COUNTY ASSEMBLY OF BUNGOMA
HANSARD OFFICIAL REPORT
WEDNESDAY 26TH OCTOBER, 2022

The house met at 2:30 p.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Our Honourable Speaker is out on official duties and therefore we have to pray for his journey mercies.

PAPERS

**ADDRESS BY HIS EXCELLENCY THE GOVERNOR DELIVERED ON TUESDAY
18TH OCTOBER, 2022**

Hon. Joseph Nyongesa (Leader of Majority): Thank you Speaker. Pursuant to Standing Order number 28(3) I beg to lay on the table of this House the address by His Excellency the Governor delivered on Tuesday 18th October, 2022.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you Leader of Majority, Honourable Members, the speech from the Governor His Excellence Ken Makelo Lusaka having been procedurally laid by the Honourable Leader of Majority is now the property of this Honourable House, we proceed.

NOTICE OF MOTION

**THAT THE THANKS OF THE COUNTY ASSEMBLY BE RECORDED FOR
EXPOSITION OF THE PUBLIC POLICY CONTAINED IN THE ADDRESS OF THE
GOVERNOR; DELIVERED ON TUESDAY 18TH OCTOBER, 2022 BY THE LEADER
OF THE MAJORITY PARTY**

Hon. Joseph Nyongesa (Leader of Majority): Pursuant to Standing Order number 28(4) I rise to issue a notice of motion that thanks of the County Assembly be recorded for the exposition of the public policy contained in the address of the Governor delivered on Tuesday 18th October, 2022.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you Hon. Nyongesa. Honourable Members, the notice of motion having been issued in a proper manner, I direct that it be circulated to all Honourable Members of this Assembly so that they have time to critically analyze and peruse it in depth; to form part of the business to be considered by this Honourable House. We proceed to the next item.

MOTIONS

THAT THIS HOUSE ADOPTS A REPORT BY THE COMMITTEE ON SELECTION ON THE NOMINATION OF MEMBERS TO SERVE IN COUNTY ASSEMBLY COMMITTEES

Mr. Deputy Speaker (Hon. Stephen Wamalwa): The Honourable Leader of Majority Hon. Joseph Nyongesa Juma. You can use the dispatch. Sorry Hon. Leader of Majority, you are looking marketable. Please take your time.

Hon. Joseph Nyongesa (Leader of Majority): Thank you Speaker. This report is actually eagerly awaited by this House and I think as the Committee on Selection, we have done our best because we have gone through it for almost 10 times and we have seen that at least we have tried to balance. So Members, you can take your pens to note where you have been placed so that you position yourselves.

Allow me read the report of the Committee on Selection.

We have the executive summary it is also very big but I will go through it.

1.0. EXECUTIVE SUMMARY

Mr. Speaker Sir,

Pursuant to provision of Standing Order No. 174 (1), that:

“There shall be a select committee, to be designated the Committee on Selection consisting of the Leader of Majority party or coalition of parties who shall as the Chairperson, the Leader of the Minority party or coalition of parties, coalition of parties’ whips and seven other members who shall be nominated by the County Assembly Parties and approved by the County Assembly; taking into consideration the interests of the independents

2.0. COMMITTEE MEMBERSHIP

- | | | |
|----|---------------------|-------------------|
| 1. | Hon. Joseph Juma | Chairperson |
| 2. | Hon. Anthony Lusena | Vice- Chairperson |
| 3. | Hon. Meshack Wekesa | Member |

4.	Hon. Milliah Masungu	Member
5.	Hon. Busolo Sudi	Member
6.	Hon. Tony Barasa	Member
7.	Hon. James Mukhongo	Member
8.	Hon. Franklin Simotwo	Member
9.	Hon. Jerusa Aleu	Member
10.	Hon. Everton Nganga	Member
11.	Hon. Ali Machani Mutoka	Member
12.	Hon. Godfrey Mukhwana	Member (co-opted)

3.0. COMMITTEE MANDATE

Mr. Speaker Sir,

The Committee's mandate, functions and limitations are stipulated in Standing Orders Nos. 174, 175, 176 and 177; that the Committee on Selection shall:

Nominate members to Select Committees save for the membership of the County Assembly Business Committee, Appointments, and Speaker's Panel with the County Assembly Parties:

Give consideration to the need for gender balance and shall so far as may be practicable, ensure that no more than two-thirds of Members of a committee of the County Assembly, including...

But speaker they weren't fair to me, it could be better if they could have given me bottled water, this is quite unfair.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): The Assembly orderlies kindly

(Laughter)

Hon. Kawa I will not entertain that! Let us proceed with the report.

(Loud consultations)

Honourable Leader of Majority you can pose. Let us have this information from Hon. Jack.

Hon. Joseph Nyongesa Leader of Majority): Again Speaker, they should have put a chair here for members that will be here; because going to the far end and then coming back, I may get tired. So let me just stand.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): The Honourable Leader of Majority, I request that you take a seat.

Hon. Joseph Nyongesa (Leader of Majority): Mr. Speaker I am seeing the difference from here to my seat is almost 200 meters; so just allow me... anyway obliged Mr. Speaker.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Then I will direct that when the Leader of Majority continues with the report, the Assembly orderlies will move what is required of him to its rightful position so that he can continue reading the report.

Hon. Jack Kawa: Thank you Mr. Speaker. I just want to inform the House and the Sergeant at Arms that this is our Leader of Majority and he is on the floor of the House reading a very important motion for the day. We want to plead that this is a replica of the National Assembly. I don't see why the Serjeant at Arms can't fetch water for one Leader of Majority when he is giving us a very important motion. I want to inform this House that let us learn from the past.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you Hon. Kawa. As the Hon. Leader of Majority resumes, we want to ask the Assembly orderlies that water for the reader of the motion should be placed strategically at the very point, so that we avoid such incidents in future. Let us be orderly and perform our duties as required, that is, for every office of the Assembly. We can continue Hon. Leader of Majority.

Hon. Joseph Nyongesa (Leader of Majority): Thank you Speaker and thank you Hon. Kawa for your concern but anyway, mistakes are there and so we should also understand.

4.0. ACKNOWLEDGEMENT

Mr. Speaker Sir,

On behalf of the Members of the Committee on Selection, I wish to appreciate your office and that of the Clerk to the County Assembly for the necessary support accorded to the Committee in the execution of its mandate.

I further extend my gratitude to the secretariat for their technical support in coming up with this report because they were so keen.

Pursuant to the provision of the Standing Order 174 (4) and 177 (3), I now wish to table this report and urge this Honorable House to adopt it.

I beg to move. It is signed by Hon. Joseph Juma Nyongesa -MCA Tuuti / Marakaru Ward-Leader of Majority and the Chairperson, Committee on Selection.

5.0. THE STRATEGIC OBJECTIVE OF THE COMMITTEE

Mr. Speaker Sir,

Pursuant to Standing Order Nos. 175, 176, and 177, the strategic objective of the Committee on Selection is to enhance efficiency by selection of Members to their various Committees in consultation with other County Assembly Parties; and in accordance to the practicable Parties' proportion within the County Assembly of Bungoma.

6.0. CRITERIA IN NOMINATION OF MEMBERS TO SELECT COMMITTEES

Mr. Speaker Sir, the committee nominated members to 18 committees comprising of Sectoral and Standing Committees. All the 62 Members were considered for allocation of committees as guided by the County Government Act of 2012 and the Standing Orders which talks of at least one.

7.0. COMMITTEE RESOLUTIONS ON PLACEMENT OF MEMBERS TO COUNTY ASSEMBLY COMMITTEES

Mr. Speaker Sir,

Section 14(4) of the County Government Act, 2012, provides that the County Assembly shall in establishing Committees under this Selection ensure that each member of the County Assembly is appointed to at least one Committee.

Standing Orders Nos. 174, 175, 176, 177 and Standing Order 209 (3) clearly guides the Committee on selection on its mandate, procedure of nomination of members to Committees, criteria for nomination, approval of nomination and composition of committees. The Committee on Selection placed members of other political parties as well as the independents to committees in as near practicable proportion.

Mr. Speaker Sir,

Nomination of members to Committees is executed by County Assembly Parties and a member shall not be a member of a committee of the County Assembly, unless the nomination of such Member into the Committee is approved by the County Assembly.

After nominating members to all the Committees within its mandate and in exercise of the powers conferred to it, the Committee on Selection resolved that the membership of various committees be as follows;

1. SECTORAL COMMITTEES

1. FINANCE AND ECONOMIC PLANNING

1. Hon. Everton Nganga

2. Hon. Everlyne Mutiembu
3. Hon. Aggrey Mulongo
4. Hon. Vitalis Wangila
5. Hon. James Barasa Mukhongo
6. Hon. Violet Makhanu
7. Hon. Stephen Wamalwa
8. Hon. Tony Barasa
9. Hon. George Makari
10. Hon. Catherine Kituyi
11. Hon. Jack Kawa
12. Hon. Christine Mukhongo
13. Hon. Orinze Kundu
14. Hon. Francis Chemion
15. Hon. Godfrey Mukhwana

2. EDUCATION AND VOCATIONAL TRAINING

1. Hon. Allan Nyongesa
2. Hon. Jeremiah Kuloba
3. Hon. Aggrey Mulongo
4. Hon. Ali Machani
5. Hon. George Makari
6. Hon. Benjamin Otsiulah
7. Hon. Stephen Kaiser
8. Hon. John Wanyama
9. Hon. Linda Kharakha
10. Hon. Jack Kawa
11. Hon. Joan Kirong'
12. Hon. Abraham Obama
13. Hon. Christine Mukhongo
14. Hon. Mildred Barasa
15. Hon. Jacob Psero

3. AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVES DEVELOPMENT

1. Hon. Millah Masungu
2. Hon. Aggrey Mulongo
3. Hon. Everlyne Mutiembu
4. Hon. Alfred Mukhanya
5. Hon. Franklin Simotwo
6. Hon. Jerusa Aleu

7. Hon. Isaiah Busolo
8. Hon. Bernard Kikechi
9. Hon. Caleb Wanjala
10. hon. Edwin Opwora
11. Hon. Idd Owongo
12. Hon. Waiti Wafula
13. Hon. Metrine Nangila
14. Hon. Martin Chemorion
15. Hon. George Tendet

4. ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS

1. Hon. Ali Machani
2. Hon. Everlyne Mutiambu
3. Hon Job Mukoyandali
4. Hon. Everton Nganga
5. Hon. Violet Makhanu
6. Hon. Meshack Simiyu
7. Hon. Charles Nangulu
8. Hon. Frankline Simotwo
9. Hon. Jeusa Aleu
10. Hon. Idd Owongo
11. Hon. Polycarp Kimeta
12. Hon. Stephen Kaiser
13. Hon Henry Nyongesa
14. Hon. Johnstone Ipara
15. Hon. Godfrey Mukhwana

5. TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES

1. Hon. Anthony Luseneka
2. Hon. Florence Juma
3. Hon. Allan Nyongesa
4. Hon. Alice Kibaba
5. Hon. Joseph Nyongesa
6. Hon. James Mukhongo
7. Hon. Meshack Simiyu
8. Hon. Bernard Kikechi
9. Hon. Edwin Opwora
10. Hon. Dorcas Ndasaba
11. Hon. Martin Chemorion
12. Hon. Orinze Kundu

13. Hon. Isaiah Busolo
14. Hon. George Tendet
15. Hon. Benjamin Otsiula

6. GENDER AND CULTURE

1. Hon. Mertine Nangalama
2. Hon. Florence Juma
3. Hon. Alfred Mukhanya
4. Hon. Jeremiah Kuloba
5. Hon. Joseph Nyongesa
6. Hon. James Mukhongo
7. Hon. John Wanyama
8. Hon. Maurine Wafula
9. Hon. Jack Kawa
10. Hon. Isaiah Busolo
11. Hon. Abraham Obama
12. Hon. Mildred Barasa
13. Hon. George Tendet
14. Hon Eunice Yeko
15. Hon. Godfrey Mukhwana

7. HEALTH SERVICES

1. Hon. Milliah Masungu
2. Hon. Job Mukoyandali
3. Hon. Vitalis Wangila
4. Hon. Anthony Luseneka
5. Hon. Meshack Simiyu
6. Hon. Jackson Wambulwa
7. Hon. George Makari
8. Hon. Grace Sundukwa
9. Hon. Jerusa Aleu
10. Hon. Dorcas Ndasaba
11. Hon. Joan Kirong'
12. Hon. Mourine Wafula
13. Hon. Orinze Kundu
14. Hon. Jacob Psero
15. Hon. Tonny Barasa

8. LANDS, URBAN, PHYSICAL PLANNING AND HOUSING

1. Hon. Cornelius Makhanu

2. Hon. Timothy Chikati
3. Hon. Vitalis Wangila
4. Hon. Ali Machani
5. Hon. Edwin Opwora
6. Hon. Waiti Wafula
7. Hon. Everlyne Anyango
8. Hon. Linda Kharakha
9. Hon. Henry Nyongesa
10. Hon. Francis Chemion
11. Hon. Isaiah Busolo
12. Hon. Johnstone Ipara
13. Hon. Mildred Barasa
14. Hon. Barasa James
15. Hon. Eunice Yeko

9. TRADE, ENERGY AND INDUSTRIALIZATION

1. Hon. Metrine Nangalama
2. Hon. Alfred Mukhanya
3. Hon. Timothy Chikati
4. Hon. Alice Kibaba
5. Hon. Benard Kikechi
6. Hon. Polycarp Kimeta
7. Hon. Waiti Wafula
8. Hon. Brigit Katasi
9. Hon. John Wanyama
10. Hon. Linda Kharakha
11. Hon. Sheila Sifuma
12. Hon. Angeline Rugut
13. Hon. Meshack Simiyu
14. Hon. Johnstone Ipara
15. Hon. Tony Barasa

10. PUBLIC ADMINISTRATION AND ICT

1. Hon. Timothy Chikati
2. Hon. Jeremiah Kuloba
3. Hon. Cornelius Makhanu
4. Hon. Florence Juma
5. Hon. Joseph Nyongesa
6. Hon. Jackson Wambulwa
7. Hon. Stephen Wamalwa

8. Hon. Tony Barasa
9. Hon. Franklin Simotwo
10. Hon. Grace Sundukwa
11. Hon. Caleb Wanjala
12. Hon. Stephen Kaiser
13. Hon. Brigit Katasi
14. Hon. Francis Chemion
15. Hon. Isaiah Busolo

11. LABOUR RELATION AND MEMBERS' WELFARE

1. Hon. Alice Kibaba
2. Hon. Evertone Nganga
3. Hon. Miliar Masungo
4. Hon. Anthony Luseneka
5. Hon. Jackson Wambulwa
6. Hon. Charles Nangulu
7. Hon. Polycarp Kimeta
8. Hon. Brigit Katasi
9. Hon. Catherine Kituyi
10. Hon. Everlyne Anyango
11. Hon. Mitrine Nangila
12. Hon. Henry Nyongesa
13. Hon. Joan Kirong'
14. Hon. Jerusa Aleu
15. Hon. Jacob Psero

12. YOUTH AFFAIRS AND SPORTS

1. Hon. Allan Nyongesa
2. Hon. Job Mukoyandali
3. Hon. Mitrine Nangalama
4. Hon. Cornelius Makhanu
5. Hon. Violet Makhanu
6. Hon. Charles Nangulu
7. Hon. Grace Sundukwa
8. Hon. Caleb Wanjala
9. Hon. Idd Owongo
10. Hon. Catherine Kitui
11. Hon. Doricas Ndasaba
12. Hon. Everlyne Anyango
13. Hon. Abraham Obama

14. Hon. Martin Chemorion
15. Hon. Aggrey Bosire

2. STANDING COMMITTEES

1. BUDGET AND APPROPRIATIONS COMMITTEE

1. Hon. Charles Nangulu
2. Hon. Ali Machani
3. Hon. Anthony Luseneka
4. Hon. Jackson Wambulwa
5. Hon. Grace Sundukwa
6. Hon. Millia Masungo
7. Hon. Meshack Musevenis
8. Hon. Joan Kirong'
9. Hon. Polycarp Wandabusi
10. Hon. Sudi Busolo
11. Hon. Caleb Wanjala

2. POWERS AND PRIVILEGES COMMITTEE

1. Hon. Vitalis Wangila
2. Hon. Everton Nganga
3. Hon. Miliar Masungo
4. Hon. Tony Barasa
5. Hon. Orize Kundu
6. Hon. Jack Kawa
7. Hon. Eunice Yeko
8. Hon. Joseph Juma
9. Hon. Bridgit Katasi
10. Hon. Mourine Wafula
11. Hon. Metrine Nangila

3. JUSTICE AND LEGAL AFFAIRS COMMITTEE

1. Hon. Jeremiah Kuloba
2. Hon. Timothy Chikati
3. Hon. Everlyne Mutiambu
4. Hon. Metrine Nangila
5. Hon. Benjamin Otsiulah
6. Hon. Everlyne Anyango
7. Hon. Francis Chemion
8. Hon. Sheila Sifuma

9. Hon. Edwin Opwora
10. Hon. George Makari
11. Hon. Idd Owongo

4. DELEGATED COUNTY LEGISLATION COMMITTEE

1. Hon. Jeremiah Kuloba
2. Hon. Florence Juma
3. Hon. Aggrey Mulongo
4. Hon. Linda Kharakha
5. Hon. Godfrey Mukhwana
6. Hon. Doricas Ndasaba
7. Hon. Johnston Ipara
8. Hon. Martin Chomorion
9. Hon. Wafula Waiti
10. Hon. Angeline Rugut
11. Hon. Aggrey Bosire

5. IMPLEMENTATION COMMITTEE

1. Hon. Jacob Psero
2. Hon. Maureen Wafula
3. Hon. James Mukhongo
4. Hon. Frankalin Simotwo
5. Hon. Abraham Obama
6. Hon. Catherine Kituyi
7. Hon. Alice Kibaba
8. Hon. Aggrey Mukhongo
9. Hon. Vitalis Wangila
10. Hon. Job Mukoyandali
11. Hon. Alfred Mukhanya

6. PUBLIC ACCOUNTS COMMITTEE

1. Hon. Everton Nganga
2. Hon. Alfred Mukhanya
3. Hon. Anthony Lusenaka
4. Hon. Everlyne Mutiambu
5. Hon. Timothy Chikati
6. Hon. George Tendet

7. Hon. Benard Kikechi
8. Hon. Stephen Kaiser
9. Hon. John Wanyama
10. Hon. Violet Makhanu
11. Hon. Jerusa Aleu

Honourable Speaker, allow me to table this report for consideration and adoption by this Honourable House and I think Honourable Members have heard them. As I conclude, allow me also to call my colleague Hon. Anthony Lusenaka to second this report for the House to approve. Thank you Speaker and members for listening.

(Applause)

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you Honourable Leader of Majority Hon. Joseph Nyongesa Juma.

Hon. Anthony Lusenaka (Leader of Minority): Thank you Honourable Speaker. I rise to second the motion and I have a few comments to make;

One, I want to take this opportunity...

(Loud consultations)

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Order Honourable Members. Let us consult in low tones so that we can hear the Hon. Leader of Minority.

Hon. Anthony Lusenaka: I want to take this opportunity to thank the Committee on Selection. I know it was not an easy task; it was a tough one and we have managed to come up with the report. I therefore just ask members to support it so that this House can move. There is so much business that is pending before the Clerk's office as the Speaker said yesterday. We have so many reports that are supposed to be committed to various committees.

Yesterday we passed the calendar and so I just want to request your office that we come up with a timetable on how now these committees can start doing the business. They are supposed to go for induction and retreats so that members can enjoy the welfare of this Assembly. Maybe we have made mistakes in the report. I just want to request members to indulge us and to be patient as we go through. We are not perfect, maybe we left a few things out.

I just request members that we just go back to our coalitions so that in case of anything that is there we can always iron out; but what I know we have done our best and therefore I just want to ask the Honourable members to adopt the report the way it is so that we can move. I also wish request the Leadership that we come up with a timetable, elect the Chairs and Vice chairs so that by next week we start our retreats. Members, let us adopt the report the way it is so that we can move.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): You have not seconded Hon. Lusenaka!

Hon. Anthony Lusenaka: I started by seconding Hon. Speaker.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Okay Fine! Now, Honourable Members the motion having been moved and subsequently seconded, I now propose the question that this House adopts the report by the Committee on Selection on the nomination of members to serve in Assembly committees. I propose!

Well, there being no debate, I now call upon the Leader of Majority...

There is no debate, Fine!

Now Honourable Members having observed your silence...

You are not the owner of that! That microphone belongs to Hon. Kuloba, you are not the one! The Honourable Member who is trying to talk is supposed to be where you are. Kindly members you have to log in while you sit; not that you can do it anywhere. Therefore that microphone belongs to Hon. Kuloba Jeremiah from Township...

(Laughter)

Hon. Hentry Nyongesa: Thank you Mr. Speaker. I am sorry I am seeing members saying swap others saying place but I am sure it's functioning

Mr. Deputy Speaker (Hon. Stephen Wamalwa): It is functioning.

Hon. Hentry Nyongesa: Mr. Speaker, whichever method I use I do not know.

One, I want to take this opportunity to thank the Leadership of the House and in particular the Chairman of the Committee on Selection and the entire Membership. This has been a waiting moment and you see the House is even in silence. You almost took the bell, but I want to thank the Leader of Majority and the entire Leadership in the Committee on Selection. As I am just standing here today to support whatever has been read by the Leader, that is, the Chairman and every Member was eager to know where he was going to discharge his duties as required in law; or rather as a citizen of this Country, because the leadership we are exercising here today is on behalf of the citizens who voted for us.

They could have been here to listen themselves and you can imagine how the Budget Committee could have looked like. Because it would be like the whole County coming here to say what they want and how they want to arrange this County.

I want to thank the Chairman. We are going to support that. I am standing in support and just to say that looking at what the Chair was reading, I have been very keen on the Standing Orders and the Chair has tried to move with it. I want to single out that when I was reading, I left my

Standing Orders, but when I was reading the Standing Orders guiding the Committee on Selection; some of the committees like one of the Standing Committees called PIC and PAC. When I hear names being read from the side of the second largest party, I realize that the Chair and the committee was considerate and I am hoping that that committee is going to follow the Standing Orders and the Constitution of this country.

Secondly, I was reading my Standing Orders guiding the selection of the Budget Committee. I think under Standing Order 174 or something like that, that the Budget committee will squarely focus on the Sub Counties and I am hoping that this County has nine Sub Counties in representation and in terms of Constituencies. But when you go to Sub Counties, it will be more. But when you look at the composition of the County Government of Bungoma in terms of Sub Counties we actually have seven. I have been thinking loudly that the Chair has put that into consideration because those are the Standing Orders guiding this House; that each Sub County will be represented on the Budget and Appropriations Committee. On that, I will not belabor but in addition, that Standing Order is very clear that there must be consideration of women, youths and people with disabilities.

I am sorry to mention this while on record that this House does not have any person living with disability, but when I look around and see Hon. Opwora who is putting on glasses, I imagine that he is also disabled and also Hon. Waiti because disability comes in various...

(Loud Consultation)

...protect me Mr. Speaker!

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Hon. Hentry you are protected! I know Hon. Wafula Waiti is not disabled, he is very strong and this basking Hon. Edwin Opwora is equally not disabled. They are perfectly in good health. We proceed!

Hon. Hentry Nyongesa: Thank you Mr. Speaker, I am subject to correction. I was imagining that when you put on glasses maybe you have some disadvantages of seeing far or...

Mr. Deputy Speaker (Hon. Stephen Wamalwa): It can be swag.

Hon. Hentry Nyongesa: Thank you Mr. Speaker. I wanted to thank the Chairman that he is moving a motion guided by the Constitution and following the Standing Orders that guide this House. I am here supporting that Committee on Selection has done the best.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you so much the Hon. Hentry Nyongesa now I will have the Hon. Wafula Waiti, Hon. Vitalis Wangila then Hon. Namaemba.

Hon. Waiti Wafula: Thank you Mr. Speaker, I rise to first of all thank the work our able team but I am wondering why some Standing Orders are so challenging. I want to register this Mr. Speaker; that looking at Order number 210 (3) of this Honourable House supported by chapter

one of the Constitution of this beautiful country, it states very clearly that; *sovereign power belongs to the people of Kenya and the people may exercise their sovereign power either directly or through their democratically elected representatives*. That is the Constitution of this country which I believe that we as elected members of this Honourable House speak on behalf of the people we represent.

Coming to the Standing Order number 210 (3) of this House and it reads;

...in nominating members under paragraph (2) the Committee on Selection shall nominate a Member from each Sub County and two Members representing either youth, women, minority or people living with disability

...that is on the Budget and Appropriation Committee.

Mr. Speaker I come from Tongaren Sub County and as a team from Tongaren, we appointed or selected one of us Hon. Jerusa Aleu to represent us on the Committee on Selection. I wish to register that even if you do not know what to do, you cannot miss out to register yourself or to select yourself as a Member. So we are wondering why Hon. Jerusa missed out even selecting herself and so Tongaren is not represented. I register that as I support the selection.

(Applause)

Mr. Deputy Speaker (Hon. Stephen Wamalwa): The Hon. Waiti Wafula Waiti has expressed his sentiments. We were following order here, so let us have the point of order from Hon. Hentry and you have to be precise on the point but that belongs to Hon. Kuloba.

Hon. Hentry Nyongesa *(On a point of information)*: Mr. Speaker I just want to inform this House that the mandate of Members to be appointed in committees was not subjected to members in the region, it was subjected to the Standing Orders by the Committee on Selection. So it is wrong for Hon. Waiti to tell this House that the Sub County called Tongaren which is having a Member that they slotted the name of Hon. Jerusa to represent Tongaren; we are saying that the Committee on Selection has their mandate guided by the Standing Orders to place members in committees. I therefore request Hon. Waiti to withdraw that statement.

(Laughter)

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Honorable Members let us be orderly; we have the Hon. Tony Khaoya with a point of information. You have to be precise, I will go back to the Hon. Waiti Wafula so that he can correct himself and members we go with the order that we had mentioned here.

Hon. Tony Khaoya: Thank you Mr. Speaker. What I wanted to say has been informed by senior Hon. Hentry Nyongesa; and two, additional to that information Mr. Speaker I wish to inform Hon. Waiti Wafula that as a Committee on Selection, we went into detail and we even carried what we called the dictionary to identify what is a Sub County as is mentioned in our Standing Orders.

As we went through all the languages of Sub County, we really found that we have over 10 Sub Counties as mentioned earlier by our senior. If we would have gone by the word “Constituency” Tongaren could be best placed to have one representative, but if we say we go by the word “Sub County” even Cheptais people will want a Budget Committee representative, Kimaeti people will also demand, our Member from Kopsiro will also demand a committee slot. The total number of Sub Counties is to a tune of around 10 if not 13. So I think Hon. Waiti Wafula will be well informed the way *Mheshimiwa* Hentry Nyongesa has informed. It was not placed by Sub County Members to come and place people; it was placed by the Committee on Selection which looked into all considerations while coming up with this report.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Well, the Hon. Khaoya let me just give the Hon. Waiti Wafula Waiti time to complete the argument

Hon. Waiti Wafula: Thank you Mr. Speaker. When our Leader of Majority was reading and mentioning about the Sub Counties, they were not listed; and that is why I was reading the Standing Order. Now, if it means that we follow the Sub Counties, Tongaren as a Constituency has two Sub Counties which had been forgotten.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you the Hon. Wafula Waiti.

Hon. George Makari: Thank you Mr. Speaker I can see Hon. Wangila is also standing when a senior like me is standing... Hon. Wangila should not stand on his feet! I want to appreciate the work of the Committee on Selection. I quote what Hon. Lusenaka said that there could be errors in the report, maybe very minor or slight errors. It is my prayer that we pass the report as it is and then we go back to the respective coalitions then work on what is remaining. It is the work of the Whips if there is any dissatisfaction within a coalition. The whip can communicate to the Chair about any changes that may arise from the report. I think we should support the report and let it pass as it is.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you Hon. Makari I only have three Members; Hon. Vitalis, Hon. Namaemba and the Hon. Kikechi as we finish this.

Hon. Vitalis Wangila: Thank you Mr. Speaker for catching my eye. First of all, I am on my feet to applaud the formidable Committee on Selection being led by our able Leader of Majority Mr. Nyongesa. I wish to support this motion because this is the information we were waiting on as

Honorable Members; especially I Vitalis Wangila Honourable Member from Kabula Ward. To know exactly where I belong and where am I going to practice my mandate as an MCA from Kabula Ward, which is to represent my people and the people of Kabula Ward and Bungoma at large .

It is now up to us in our committees to make sure that we make our committees very active. I think all the committees are equal and it depends with the Chair of the committee and the membership of the committee; how actively you will lead to make sure that that committee is one of the best amongst all others in this particular House. I wish to say this, I have been looking forward to be the Chair of Finance and I am happy that I am in Finance. I am saying this in advance that I am going to lobby for that position of Chair of Finance in time; and if you are here and you want to be the Chair of any committee, it is now your time to start lobbying the way I have started and I think we are in agreement.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Hon. Vitalis you are out of order! We cannot anticipate debate on that!

(Loud consultations)

Hon. Vitalis Wangila: Okay I Withdraw. I desire Mr. Speaker.

Mr. Deputy Speaker (Hon Stephen Wamalwa): Hon. Vitalis we have not declared any vacancy in any committee. We need to restrict ourselves to the motion of this House

Hon. Vitalis Wangila: Thank you Mr. Speaker, I withdraw. That is why I am saying that I am urging my fellow Honorable Members that let us be strict, let us be serious, let us attend committee meetings, let us make our committees very active for the good of this county of Bungoma.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Very well Hon. Vitalis, you were in my Party but you ran away. Hon. Namaemba! He knows the party himself

Hon. Violet Makhanu: Thank you Mr. Speaker for also catching my eye that I may say something on this motion. First, I wish to congratulate the Committee on Selection for the good work. This is a day that all of us were really waiting for. We really wanted to know where we belong and I want to tell the Chair of the Committee on Selection that Leader, for the first time you had members who are very secretive. They decided to remain with the report until now. It is when most of us are learning where we belong.

As a Christian and a staunch... I believe in the bible. The bible says there is a reason for everything and there is a purpose for everything. I might not quote the exact verse, but I know of that scripture that says there is a purpose for everything in life. We are all Honorable Members

here and I believe that we have members including myself maybe who decided to be on such and such committees; and time has come whereby we are not maybe on those particular committees. I wish to tell you that God has a purpose for everything and I believe that my leader also knows that being a Bishop. I think he read that verse and that is how this report came up.

That we can be anywhere and still represent our people in a very good way as long as we are committed to where we have been placed. We can serve in any committee as Honourable Members because the truth is that majority of us wished to be on the Budget Committee. Budget Committee comprises of 11 Members. All of us cannot be on the Budget committee, we cannot be on Finance Committee, and we just need to accept where we have been placed. We are mature people and we are Honorable Members. In case maybe you were having a heavy heart reason being you have not been put where you wished to be, it is high time you cool down relax and accept to serve your people from where you have been placed.

I am sure that at the end of the day, you will know the reason as to why you were placed on that particular committee. So I want to just urge my members that as we finish; and especially the members from my coalition. That Honorable Members, it is high time we work together as a team and we avoid wrangles. Those of us who were in this Assembly in the last regime saw how it was bad and the chaos. You could not admire being in this Assembly. I wish to request that as we leave this door, accept where you have been placed in this issue of committees and go and serve your people from there. Personally as Hon. Violet, I am going to serve the people of Mihuu and represent this Assembly in those particular committees and I am sure that I am going to support my leadership.

But I want to urge you Members that kindly, let us not open the window for chaos and wrangles amongst us. Enemies will find a way of coming through, separate us and we will not deliver on mandate that we came to serve in this particular Assembly. I want to support the report and by extension I support the Committee on Selection for the good work that you have done for us as Honorable Members; and I know that from now on, everyone knows where he or she is supposed to be and where he or she is going to serve as a Honorable Member in this particular House.

(Applause)

Hon. Bernard Kikechi: Thank you for giving me the opportunity to contribute to this Honorable House. First I would like to take this opportunity to sincerely thank the people of Mbakalo Ward for having had their trust in me and for having elected me as a Member of the County Assembly. It was not an easy task for we were 24 contestants and out of them all I managed to come out as a winner. I am very happy and I promise the people of Mbakalo that I am going to serve them diligently and with great honor.

Moving to today's Motion, mine is a question. First of all I want to thank the Committee on Selection led by our Hon. Leader of Majority for doing that good job, but my point is that Hon. Tony said that Tongaren is not a Sub County. Is he in order to allege that Tongaren cannot be classified as a Sub County and yet to the best of my knowledge we are the second largest Sub County in Bungoma County?

Secondly, as per Standing Order number 210, the way my colleague Hon. Wafula Waiti said, it is very clear that Members of Budget and Appropriations Committee should at least be drawn from every sub County. I think this is wrong. I do not understand from the list that was read by our Leader from the Committee on Selection. I saw some Sub Counties have produced at least two. Why can't some of those Members donate one of those positions to Tongaren Sub County?

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Well expressed by Hon. Kikechi. Let me have Hon. Maasai Chemion then I call the Mover of the Motion who is our Leader of Majority to come and respond to all those concerns.

Hon. Francis Chemion: Thank you. First, I want to begin by thanking the Leader, the Chair of the Committee and the Membership for coming up with this report; that it is not a simple task to come up with this report. There is push and pull from most of the Members, so sometimes it is very difficult to come up with a report that may please all.

But if you are in two central Committees, at least two, for me I think the Committee on Selection could have done something good, but there is something as a House that we need to look into in the near future; especially the issue of this Committee that is bringing so much heat. The issue of the Budget Committee...

We should in future maybe decide to do one of this, we may decide to say that we amend the Standing Order to allow either all the Members to participate in coming up with the Budget, or we amend and say that all the Sub Counties that have been created by the National Government are represented; or if for example in Tongaren or in Bumula we have two sub Counties, I think, in Mount Elgon we have three and in Tongaren we have two. I think those are the areas we knew as the new Sub Counties.

So we can look into that one in future and say that let us amend these Standing Orders and allow the representation of those new Sub Counties that have been created by the National Government. Because right now for your information, we have issues in coming up and deciding whether we call a Constituency a Sub County; because Mt. Elgon is Comprising of three Sub Counties. So what do we call that one?

Do we call the whole of it a Sub County or a Constituency? We need to define it very well in our Standing Orders and the easiest way is to allow the representation of all the created Sub Counties in the Budget Committee, so that may be the resources that we think maybe shared in that Committee reach all areas.

You see we must allow ourselves to look into these Standing Orders for it is not cast in stone. For Members, they have tried because they were supposed to fix 11 Members only, that is what the Standing Orders say. Had we made it to be around 13 or whatever number of Sub Counties; we put it in our Standing Orders that we have 11 Members in each Standing Committee except for the Budget Committee and allow it to have its numbers as per the system Standing Order, that will do good for us.

If there are major challenges, I beseech the House, we will not die today, and there is life after. If there are major challenges, we will talk, for we are Honorable Members. Let us talk outside there and say this is a major challenge, how can we resolve it so that we allow the House to move.

Most of the programmes that we have been talking about can start being implemented. You know this House can only move if the Committees are functional. We will have enough material to be discussed. So let us allow this report to go through, let us look at any other issues and address them *huko nyuma polepole* (quietly and conclusively).

Let us test them first and see whether we will be comfortable or not. We may be comfortable even in those Committees that we have been placed in; and in any case when the Liaison Committee plans, it normally divides our basket to the various Committees almost in equal amounts so that at the end of the year, each Committee would have cleared its budget. Meaning that if Justice for example where I have been placed has been given six Million shillings and you have been placed in the Delegated committee with an allocation of the same amount, and by the end of the year the whole six Million would have been depleted. Then it means you have gotten the money that has been gotten in Justice or on Delegated Committee if it is about welfare.

So I want to end there and make a proposal that in the near future we can at least relook into our Standing Orders.

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you Hon. Chemion, I now call upon the mover of the Motion who is our Leader of Majority Hon. Joseph Juma Nyongesa to give a response to the same.

Hon. Joseph Nyongesa (Leader of Majority): Thank you. First and foremost, I want to appreciate members for the support to the Committee for it was not easy but we tried our best. I do not know whether there is a critical issue and I want to applaud my colleague Hon. Waiti that our Standing Orders are challenging and that is why in the near future we shall manage.

Allow me also to use you Mr. Speaker as an example. Tongaren has the lion's share including you being the Deputy Speaker. So Members, we are also looking for a way of balancing our regions in terms of leadership. In our last regime, some of us served in various Committees; today we are not serving in those Committees. So as leaders we also give way for others to serve.

Members I just want to request that it is a great honor for you to give us the Leadership and we request that you do the necessary in those committees; because there is neither a small committee nor a bigger committee. All committees are the same and that is why we have done so.

The issue of the Budget Committee is that every Member in this House shall have a chance of contributing towards the Budget because every sectorial Committee will have to look at that Budget before the Budget Committee retreats. There is no way the Budget will be passed in this House minus you looking at it.

Otherwise through your office Mr. Speaker, we request that the Clerk of this Assembly issues a notice, because our Standing Orders are clear that within certain days, we should have put in place the Leaders to those committees. So at least if all goes well, maybe on Friday the Committees should elect their Chairs to take the lead of those Committees. Otherwise Members, thank you so much for supporting, we shall improve as time goes by.

(Applause)

Mr. Deputy Speaker (Hon. Stephen Wamalwa): Thank you Hon. Joseph Nyongesa Juma.

Now Honorable Members, the Motion having been moved and duly seconded and debate having ensued, I now put the question that his House adopts the report by the Committee on Selection on the nomination of the Members to serve in the Assembly committees.

(Question put and agreed to)

The ayes have it.

(Applause)

Now members I thus direct that the Clerk will communicate so that committees sit and elect committee leaderships on Friday 28th October, 2022 to enable this House start working and moving business.

You also have to be reminded that if you are a Member of the Budget and Appropriations Committee, or Public Accounts Committee and Investment, you do not vie for chairmanship in any other Committee. So I direct that the Clerk should forward the list of Members as soon as possible. I direct.

There being no other Business on the Order Paper, this House stands adjourned to Thursday the 27th day of October, 2022 at 2:30 p.m.

(House adjourns)

