

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**WEDNESDAY 8<sup>TH</sup> MARCH, 2023**

**Morning Sitting**

**COUNTY ASSEMBLY OF BUNGOMA**  
**HANSARD OFFICIAL REPORT**  
**WEDNESDAY 8<sup>TH</sup> FEBRUARY, 2022**

The House met at 9:30 a.m.

(**Mr. Speaker** [Hon. Benjamin Otsiulah] in the Chair)

**PRAYER**

**PAPERS**

**REPORT OF THE AUDITOR GENERAL ON COVID 19 VACCINE ROLL OUT FOR  
THE BUNGOMA COUNTY GOVERNMENT BY THE PUBLIC ACCOUNTS AND  
INVESTMENT COMMITTEE**

**Hon. George Tendet(Chair PAC):** Honourable Speaker Sir, I rise to table the report of the of the Auditor General on Covid -19 Vaccine roll out for the Bungoma County Government by the Public Accounts and Investment Committee.

**Mr. Deputy Speaker:** Thank you chair. Honourable members, a report by the Committee on Public Accounts and Investment having been procedurally laid before this House, it is now the property of the Assembly.

Hon. Mukhongo, on behalf of the Leader of Majority...

**Hon. James Mukhongo:** Mr. Speaker, on behalf of the Leader of Majority who is engaged on other duties within the precincts of the Assembly, I wish to lay on the table of this honourable House the following documents:

1. Report by the Auditor General on the Bungoma County Assembly Car Loan and Mortgage Scheme Fund, for the members of the County Assembly for the year ended 30<sup>th</sup> June, 2021.
2. A special Audit report of the Auditor General on the Public Participation in the County Budget making process in the financial year 2021/22.
3. The report of the Auditor General on the Bungoma County Persons with Disability Empowerment Fund for the year ended 30<sup>th</sup> June, 2021

**Mr. Deputy Speaker:** Thank you, Hon. Barasa Mukhongo. On behalf of the Leader of Majority, Honourable members the following reports have been laid on the table of the House;

1. Report by the Auditor General on the Bungoma County Assembly Car Loan and Mortgage Scheme Fund, for the members of the County Assembly for the year ended 30<sup>th</sup> June, 2021.

2. A special audit report of the Auditor General on the public participation in the county budget making process in the financial year 2021/22.

3. The report of the Auditor General on the Bungoma County Persons with Disability Empowerment Fund for the year ended 30<sup>th</sup> June, 2021

We commit the same reports to the Committee on Public Accounts and Investment for processing and reporting back to this Assembly.

## NOTICES OF MOTION

### REPORT OF THE AUDITOR GENERAL ON THE COVID -19 VACCINE ROLL OUT FOR THE BUNGOMA COUNTY GOVERNMENT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE

**Hon. George Tendet:** Honourable Speaker, I rise to issue a notice that this House adopts the report of the auditor general on the covid 19 vaccine roll out for the Bungoma County Government by the Public Accounts and Investments committee.

**Mr. Deputy Speaker:** Thank you, Honourable Chairperson PAC. The notice of motion having been issued in a procedural manner, I therefore direct that it be circulated to all honourable members of this House for their critical perusal and in-depth consumption and it forms part of the business to be considered by the House.

## STATEMENTS

### INCOMPLETE CONSTRUCTION OF BOKOLI WARD OFFICE IN THE FINANCIAL YEAR 2015/16

**Hon. Jack Kawa:** Thank you, Honourable Speaker. I am standing here reading this statement, and want it to be captured on the HANSARD because I am very disappointed.

Pursuant to provisions of Standing Order No. 47(2) (c) of Bungoma County Assembly Standing Orders, I hereby seek for a statement from the Chairperson sector Committee on Public Administration and ICT in relation to the incomplete construction of Bokoli ward in the financial year 2015/16. In the response, let the Chairperson inquire into and report on the following:

1. How much was allocated for the project
2. Name of the contractor and amount paid to date
3. The contracted period
4. Why the project stall
5. What the department is doing to complete and operationalize the office.
6. Thank you honourable speaker.

**Mr. Deputy Speaker:** Thank you, Hon. Kawa. I can see Hon. Caleb, the Vice Chairperson of the committee.

**Hon. Caleb Wanjala:** Thank you, Honourable Speaker. In the next 21 days we will be able to give an elaborate response concerning the issues that have been raised.

**Mr. Deputy Speaker:** Honourable members, that means that on 22<sup>nd</sup> March, we expect the response in this House during our 9:30 a.m. sitting. I hope it is well with Chair, Public Administration

**Hon. Caleb Wanjala:** Yes Speaker.

**Mr. Deputy Speaker:** So we expect a comprehensive response so that the issue is addressed.

### **EXTENSION OF NZOWASCO WATER PIPELINE FROM MAKOTELO TO NAMIREMBE**

**Hon. Anthony Luseneka:** Thank you, Mr. Speaker. Pursuant to provisions of Standing Order 47(2) (c), I hereby seek a statement from the Chairperson, sectoral Committee on Tourism, Environment, Water and Natural Resources.

In the response, let the chair inquire into and report on the following;

1. What was the contract sum for the extension of NZOWASCO water pipeline from Makotelo to Namirembe in financial year 2019/2020
2. What was the scope of work for the project, bills of quantities to be attached
3. What were the recommendations of the inspection and acceptance committee if the project was completed?
4. If the project was completed, were the pipes connected to the main NZOASCO line?
5. If the project was not completed, what was the contract period? Does the contract still exist or it lapsed? If the contract lapsed, what steps has the department taken?
6. What is the payment status of this project?

**Mr. Deputy Speaker:** Thank you, Hon. Namunyu Luseneka. The chairperson or committee member, yes Hon. Otsiula

**Hon. Benjamin Otsiula:** Thank you, Honourable Speaker. On behalf of the chair, I wish to seek for 21 days so that we come back with an appropriate response on the statement sought by the honourable member.

**Mr. Deputy Speaker:** Well 21 days, we expect the response in this house on 22<sup>nd</sup> of March 2:30pm, it should be appropriate, satisfactory, and extensive to address all the queries raised by the Leader of Minority.

## **MOTIONS**

### **HOUSE APPROVES THE APPOINTMENT OF MEMBERS TO THE SELECTION PANEL TO FILL A VACANCY OF A MEMBER TO THE COUNTY PUBLIC SERVICE BOARD**

**Hon. James Mukhongo:** Thank you, Mr. Speaker. On behalf of the Leader of Majority who is engaged in other duties, I wish to move a motion. Pursuant to Standing 58 aware that Section

(57) of the County Governments Act establishes the County Public Service Board, Section (58) of the same Act provides for the composition of the Public Service Board.

Further aware that Section 58 (a) of the County Governments Act provides for the procedure for nomination and appointment of the members of the County Public Service Board. Considering that the Bungoma County Public Service Board has a vacancy of a member following the resignation of one Bonventure Sammy Wasikoyo, further considering that Section 58 (a) (1) of the County Government Act empowers the Governor whenever a vacancy arises in the County Public Service Board to nominate and with the approval of this House appoints members to a Selection Panel for the purpose of selecting a suitable candidate for appointment as a member of the County Public Service Board.

Acknowledging that through the acting County Secretary, the letter dated 20<sup>th</sup> February, 2023 has invoked the provisions of Section 58 (a) of the County Governments Act by nominating the following persons to form the Selection Panel for the purpose of selecting a suitable candidate for appointment as a member of the County Public Service Board.

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

I now move and propose that this House resolves that the above listed persons are duly and so properly approved by this House to form the Selection Panel for the purpose of selecting a suitable candidate for appointment as a member of County Public Service Board.

On behalf of the Leader of Majority, I now wish to call Honorable Saul Busolo to second the motion.

**Hon. Sudi Busolo:** Hon. Speaker, before I second, I wish to make the following few remarks having been away. First of all I thank God for being with me and you colleagues and my family. After that I second the motion.

*(Applause)*

**Mr. Deputy Speaker:** Thank you, Hon. Sudi Busolo. We are happy that you are looking healthy and we thank God for that. The teeth are white than they were. Honorable members, the motion having been moved and dully seconded, I now propose the question Pursuant to the provisions of Standing Order 58 (57) (58) of the County Governments Act 2012, this House approves the appointment of the following members of the Selection Panel to feel a vacancy of a member to the County Public Service Board;

1. Moses Narwenye
2. CS Elizabeth Wanyonyi
3. Dr. Lucy Mandila

4. Donald Kaptain
5. CPA Stephen Sungwacha

*(Question proposed)*

**Hon. Anthony Luseneka:** Thank you, Hon. Speaker. I rise to support the motion as moved with the following comments; we are 8 months down the line since the general election was held last year and it is unfortunate that most of these offices don't have substantive people to act. We have been giving excuses especially when we were doing interrogations. We are talking about the Public Service Board, we know employment is coming up and we require a fully constituted board to carry out the mandate as per the law. Apart from the Service Board; we also need the list of Chief Officers. We are stack; things are not moving; we have been given excuses by the executive. We have been doing interrogations for ADP and getting responses and other documents have not been forthcoming because they don't have substantive Chief Officers in the offices. I want to support the motion and urge that government should hasten the process. If we have any office that is not fully constituted, let them act fast because time is not on our side.

I want to ask the Leader of Majority to inform the executive that we are behind schedule, things like scholarships school fees has not been paid because we don't have a substantive Chief Officer in that office. The one that is there is in acting capacity.

The government should not sleep on the job; they were given this opportunity by the people of Bungoma. We are almost one year down the line but whatever they promised has not been fulfilled. Government side wake up and do the necessary so that we can also be proud after 5 years.

**Hon. Jack Kawa:** Mr. Speaker, I stand to support the names with the following comments; that as the County Government is looking for a person to service on the County Public Service Board, I want to urge the Governor that we should get the person who will serve us well. Not that person when she/he gets the job then after four resigns to join politics rendering the position vacant again. We are suffering because of such people. Like what the Leader of Minority has said, we have many people in the last regime that we vetted and they promised that they have come to work but all over a sudden, a certain group resigned to seek for elective positions.

I want to believe that this time round, if I'm looking for a certain position in pretense to get money so that I compete with another person that will be wrong. This time round, we are looking for someone who is competent and someone who will serve this County for the entire term as per the law. The issue of getting positions and resigning is derailing this County. We are suffering because of such people. I want to urge that the person should be looked at critically so that we can get a person who will serve us for the 6 years *bila mtu kusema anaenda kusimama kura*.

**Mr. Deputy Speaker:** The Hon. Kawa, you know you have to use one language. When you choose to use English, you must stick to it; if you choose to use Kiswahili then it must be Kiswahili.

**Hon. Jack Kawa:** It was on lighter note.

**Mr. Deputy Speaker:** Members, you can use Kenya sign language if you so wish, you are allowed. I know Hon. Aggrey Mulongo is competent in using Kenya sign language.

**Hon. Aggrey Mulongo:** Mr. Speaker Sir, I have never been a deaf person or a blind person to use sign language...

**Mr. Deputy Speaker:** What were you doing?

**Hon. Aggrey Mulongo:** I was only demonstrating but I was not giving out my message. Mr. Speaker, I stand here to support the motion. The names that have been read here were brought by the Governor and he saw that they are fit to work. They are competent senior citizens of this county. Therefore, I support the panel fully because he was my schoolmate. Secondly, I was also in school with the Governor and I know he is competent...

**Mr. Deputy Speaker:** Hon. Mulongo, you are trying to put the cart before the horse.

**Hon. Aggrey Mulongo:** Thank you, Mr. Speaker. I need to tell people that I also went to school with the Governor and I don't have a problem with that.

**Mr. Deputy Speaker:** Hon. Kawa, you want to inform under which Standing Order? Hon. Kawa, I'm granting you the microphone but you must understand that we have a Standing Order that you should use for the point of information.

**Hon. Jack Kawa:** *(On a point of information)* Honorable Speaker, I want to inform Hon. Mulongo that he should not refer honorable members as people; he should substantiate.

**Mr. Deputy Speaker:** In fact he should not substantiate but withdraw because these are not people. These are honorable members.

**Hon. Aggrey Mulongo:** Thank you, Mr. Speaker. I withdraw the statement. Indeed they are members. I will add on what my neighbor Hon. Kawa has said; usually we vet people, we appoint people, we say that let them be in public offices but once they are in those offices, when we try to call any of them, they don't even want to pick our calls.

I'm urging the panel and honorable members through the Public Administration Committee that let us advise that any honorable when calling regardless of the political divide he/she comes from, let them pick our calls. They are coming to serve the people of Bungoma not the majority /minority side. My plea is that let them come in the office and work equitably for our own County.

**Mr. Deputy Speaker:** A point of interest Hon. Mulongo! All this time, you have been on the majority side. You are now in minority side for some few months. Maybe during this time when you are in the minority, you call any member of the Public Service Board and they refused to pick your calls because you are in the minority team!

**Hon. Aggrey Mulongo:** In fact when I am here, all these members when you ask about five of them, they will agree that they do not pick.

**Mr. Deputy Speaker|:** These people!

**Hon. Aggrey Mulongo:** Sorry Honourable members, I am used to my people in the Ward. When you ask these Honourable members, they will say yes because some people when they enter there, they really plead to get into those offices once they reach those offices, they do not perform their roles. My plea is let us join hands and work for the people of Bungoma.

**Mr. Deputy Speaker:** Thank you so much Honourable member from Kibingei. Hon. Frankline Simotwo

**Hon. Frankline Simotwo:** Thank you, Mr. Speaker. I rise also to support the names that have been brought to this House. I know at times in Government we have procedures when it comes to appointing officers to serve in various offices.

I want to differ with our Leader of Minority that as we speak, the Government is always awake. There is no day the Government has slept. We are awake and steady.

The Government also has got procedures; look at the Chief Officers who have been voted... so there is no one who will be able to over step on procedures. So the Government is following the due process. Because in the last regimes you have seen how people have been recruited and we have issues up to this time, so we are proud of our Government because we follow the due process in terms of appointing officers to serve in any Government office. As we speak, look at the National televisions today. Look at how corruption is hitting our country. We are keen as a Government to follow the due process so that in future we cannot be in the same process. I rise and say we support the names.

**Mr. Deputy Speaker:** That is Hon. Frankline Simotwo. He is saying the Government is not sleeping. It is awake and steady. Hon. Chemion Masai

**Hon. Francis Chemion:** Thank you, Honourable Speaker. I rise to support the motion read by Hon. Mukhongo. This is a procedural motion that is why it has just come not under motions pursuant to those Standing Orders that have been quoted.

I look at the list, it comprises of the able people within our County. I want in the near future because this list has already been brought here is to check on the representation of the ethnic communities in our County. The Government should embrace ethnic representation, so that we have at least one person from every ethnic community. We also have another one from another one so that we are all strong together because the product of this panel if we approve and I am



very sure we are approving it now, they will be interviewing people from various backgrounds, communities and places. So it's always good you look at article 10 of our Constitution.

It is always good to have a representation of our diversity in any panel or committee, so that everybody feels he or she is part of this process. Otherwise, there is no way we can stop this process.

We want this panel to be in place like yesterday, so that we have a full working County Public Service Board and it is very difficult for the appointing authority to know that we are appointing Hon. Waiti today and after two months he develops an interest of vying for a seat. It is very difficult at this point and I do not know which parameter the body will use to test whether a person who will be appointed will never do any other thing or resign.

You know resignation is legal, you may be appointed today you feel like you do not want to continue working. The law allows you to resign and go back home. Let us not even cascade this panel or whatever the outcome of what they will do because it will be very difficult for us to tell. People change their way of viewing things. Today you could be viewing that position to be a position that you want to be there then maybe something else you know the Government may even appoint somebody to go to a higher position for example. We have had cases where a person has been appointed to serve in a given position then another big position comes up, what happens? That person has to resign and go to the other one if he wishes. So we support fully the adoption of this list and I want to urge my side that we pass it so that we allow the mover to reply because I am seeing ahead of us there is a heavy job again.

**Mr. Deputy Speaker:** Thank you, Hon. Masai Chemion for your contribution and observation. We are going to have Hon. Waiti then I will only give Hon. Metrine Nanjala Nangalama to make her contribution thereafter I will call upon the mover of the motion to respond accordingly.

**Hon. Wafula Waiti:** Thank you Mr. Speaker for giving me this airtime also to say my views as I support the motion. Most of my points have been echoed by Hon. Chemion. I do not know why but I will have the following.

**Mr. Deputy Speaker:** Between two of you, who had *Mwakenya*?

**Hon. Wafula Waiti:** He is taller than me by size so he could be the one. It is a very good motion but basing on history, we pray that we have people with independent minds so that as they do their work, they come up with a proper character that will assist this County to move forward.

We have had several incidences where they bring in some people who work for this County and at the end of the day, they stand aside not defending the reports they bring forward. Very soon we are having a report if I heard the Honourable Speaker very well, probably next week we shall be having reports in this Honourable House, some done by such like people we want to approve. Independence of the mind is very important in service of this good County of ours.

In a short while you have just heard the Leader of Minority presenting his views that the majority side is sleeping on the job but one of his members has just contradicted himself mentioning that he was a classmate of the Governor, praising the Governor and that means I was confused if you

sit in a classroom or study with a leader and then you can easily support anything that comes from him. That means that indeed there are people sleeping on the job and not the majority side.

I want to urge this Honourable House that let us do our work regardless of the positions we hold and the friendship we have as Honourable members so that when we do our work rightly, we shall move this County forward in a rightful manner. I rise to support the motion.

**Mr. Deputy Speaker:** Thank you, Hon. Wafula Waiti. I knew Hon. Mulongo is mischievous. I know him better and you can see the way he is behaving. So therefore we move to Hon. Nangalama Metrine Nanjala to make her contribution, and then I will call the mover of the motion to respond.

**Hon. Metrine Nangalama:** Thank you Mr. Speaker Sir for giving me this time at least to say one word. I stand here to urge this House to support that motion. The English men said that give credit where it's due. Let us support our Governor because most of the things are at stand still, for example our youths had applied for jobs in Health department and maybe vetting is not going to go on because we are lacking one member in the Service Board, but when our Governor has felt that we need to have one member, so that we can proceed with the work. Why should we deny him? So I urge the House to pass this motion. I support.

*(Applause)*

**Mr. Deputy Speaker:** Thank you the Hon. Nangalama Nanjala for your contribution. I now call upon the mover of the motion to respond. The Hon. James Barasa Mukhongo.

**Hon. James Barasa Mukhongo:** Thank you, Mr. Speaker. On behalf of the Leader of Majority, I want to give a strong promise that the government of the day is doing some consultations and I'm very sure the cardinal duty for this panel is just one, to advertise, do the interviews and then present a name to His Excellency, the Governor then it will be forwarded to this Honourable House for approval again.

Honourable members, let's wait. We should not judge them before they have started even working. Let's wait because the name will be brought here and we will have a look at it. We should not have roadblocks when the government wants to work. That is my humble request. I wish even though we have a quorum in the board but we need that replacement as soon as possible. I want to request the Honourable House to pass this motion so that by the end of today, the communication should reach the Executive for further action.

**Mr. Deputy Speaker:** Thank you so much the Hon. James. Now Honourable Members, the motion having been moved and duly seconded and debate having ensued, I now put the question that pursuant to the provisions of Standing Order 58, sections 57 and 58 of the County government Act 2012 this House approves the appointment of the following members of the selection panel to fill the vacancy of a member to the County Public Service Board

*(Question put and agreed to)*

(Applause)

Honourable Members, I now direct that the table clerks through the Office of the Clerk will disseminate the information to the relevant department in the Executive, so that the same is acted upon as soon as possible.

## **BILLS**

### **BUNGOMA COUNTY GOVERNMENT FINANCE BILL 2022 - SECOND READING**

**Mr. Deputy Speaker:** Thank you, Honourable Speaker. I wish to move that the Bungoma County Government Finance Bill 2022 to be read the second time. I wish to call upon Hon. Chemion to second.

**Mr. Deputy Speaker:** Thank you, Honourable Speaker. I want to second the reading of the Bungoma County Government Finance Bill 2022 for the second time.

**Mr. Deputy Speaker:** Thank you, Hon. Masai Chemion

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

**Mr. Deputy Speaker:** Well, Honourable Members, at that juncture we will break into the Committee of the Whole House.

### **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read

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

### **IN THE COMMITTEE**

(Chairperson [Hon. Benjamin Otsiula] took the Chair)

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

**Chairperson:** Honourable Members, let us resume our seats as we consider the Bill in the Committee of the Whole House. I wish to call upon the Chair, Finance and Economic Planning, Hon. James Mukhongo

**Hon. James Mukhongo:** Thank you, Chair. As a Committee on Finance and Economic Planning, we received the Finance Bill 2022 which was tabled in this House and we retreated and came up with a report that was tabled in this Honourable House.

Honourable chair, we came up with some amendments, of which I request that we go schedule by schedule, so that members can be informed of what transpired when we retreated as a committee.

Notice is given that the Chairperson of the Committee on Finance and Economic Planning intends to move the following amendments to the Bungoma County Government Finance Bill 2022 at this Committee Stage

### **1<sup>st</sup> Schedule: Finance and Economic Planning**

**Hon. James Mukhongo:** Honourable Chair, The first schedule be amended by deleting the entire item of code 1-1001 on dishonored the cheques from the Bill.

**Chairperson:** Honourable Members, I now propose that the first schedule be amended by deleting the entire item of code 1-1001 on dishonored cheques from the Bill.

*(Question proposed)*

Honourable Members, I now put a question that the first schedule be amended by deleting the entire item code of 1-1001 on dishonored cheques from the Bill

*(Question put and agreed to)*

#### **Amendment two,**

**Hon. James Mukhongo:** Honourable chair, that item code number 1-1005 failure by an officer to identify him/herself be amended to read as under description of fees or charges that is the penalty and unity of measures that is per instance, the proposed charges of 2022 was 500 but the committee came up with a recommendation of 1000. We increased so that the staff can adhere to it and work smart.

**Chairperson:** Honourable Members, I now propose question that the item code number 1-1005 failure by an officer to identify himself or herself be amended as read.

*(Question proposed)*

Honourable Members, I now put a question that the item code number 1- 1005 failure by an officer to identify him/ herself be amended as read.

*(Question put and agreed to)*

*(Applause)*

### **Amendment three**

**Hon. James Mukhongo:** Thank you, Honourable Chair. That item code number 1-1006 by clamping a vehicle without notice and contact details be approved with the amendments to read description of fee that is now the Penalty unit of measure that is per instance and then we have proposed charges for 2022, it was 500 shillings and we recommended the charge to come up to 1000.

**Chairperson:** Thank you, Hon. Mukhongo. Honourable Members, I now propose that the item code 1-1006 by clamping a vehicle without notice and contact details be approved with amendments as read.

*(Question proposed)*

Honourable members, I now put a question, the item code 1-1006 by clamping a vehicle without notice and contact details be approved with amendments as read.

*(Question put and agreed to)*

### **2<sup>nd</sup> Schedule: Agriculture and Livestock Veterinary and Fisheries**

**Hon. James Mukhongo:** Honourable Chair, on the second schedule it was approved without amendments.

**Chair:** Honourable Members, I now propose that the 2<sup>nd</sup> schedule be approved without amendment.

*(Question proposed)*

Honourable members, I now put a question that the 2<sup>nd</sup> schedule be approved without amendments.

*(Question put and agreed to)*

### **3<sup>rd</sup> Schedule: Environment, Water and Natural Resources**

**Hon. James Mukhongo:** Honourable Chair, on the 3<sup>rd</sup> schedule be approved with amendments by deleting the word 'Kilometre' and replacing therefore the word 'Kilograms' on item code 1-2801-2802 on the unit of measures

**Chairperson:** Honourable Members, I now propose a question that the 3<sup>rd</sup> schedule be approved with amendments by deleting the word 'kilometre' and replacing therefore the word 'kilograms' on Item code 1- 2801- 2802 on the unit of measures. .

*(Question proposed)*

Honorable members, I put a question that the 3<sup>rd</sup> schedule be approved with amendments by deleting the word 'kilometre' and replacing therefore the word 'kilograms' on Item code 1- 2801- 2802 on the unit of measures.

*(Question put and agreed to)*

**Hon. James Mukhongo:** Thank you. That item code 1-2901 on small private solid based management collectors, youths, women and PWD and item Code 1-2902 on commercial/large based collectors be amended by inserting under description, the churches small west collectors under churches per annum 6,000 but the Committee felt that we reduce it to 3,000.

On large waste collectors per annum, it was 20,000 but we felt that it should be increased to 40,000.

**Chairperson:** I now propose a question that the item Code 1-2901 on small private solid waste management collectors (Youth, Women and PWD) and item Code 1-2902 on commercial large waste collectors be amended as read.

*(Question proposed)*

Honorable Members, I now put a question that the item Code 1-2901 on small private solid waste management collectors (Youths, women and PWD) an item code 1-2902 on Commercial large waste collectors be amended as read.

*(Question put and agreed to)*

**Hon. James Mukhongo:** That item code number 1- 2536 on quarrying permit be amended by categorizing the permits as large and small Companies and create a code for small Companies as code 1-2537 and renumber Coded onwards.

**Chairperson:** Honorable Members, I now propose the question that item code number 1- 2536 on quarrying permit be amended by categorizing the permits as large and small Companies and create a code for small Companies as code 1-2537 and renumber Coded onwards.

*(Question proposed)*

Honorable Members, I now put a question that item code number 1- 2536 on quarrying permit be amended by categorizing the permits as large and small Companies and create a code for small Companies as code 1-2537 and renumber Coded onwards.

*(Question put and agreed to)*

**Hon. James Mukhongo:** That item Codes 1- 2537, 1-2538 and 1-2539 under column unit of measure be amended by introducing new column to charge the fee quarterly.

**Chairperson:** Thank you Chair for Finance and Economic Planning. Honorable Members, I propose that the item Codes 1- 2537, 1-2538 and 1-2539 under column unit of measure be amended by introducing new column to charge the fee quarterly.

*(Question proposed)*

Honorable Members, I now put a question that the item Codes 1- 2537, 1-2538 and 1-2539 under column unit of measure be amended by introducing new column to charge the fee quarterly.

*(Question put and agreed to)*

#### **Fourth Schedule: Public Health and Sanitation**

**Hon. James Mukhongo:** That the fourth schedule be approved without amendments.

**Chairperson:** Honorable Members, I now put the question that the fourth schedule be approved without amendments.

*(Question put and agreed to)*

#### **Fifth Schedule: Education, Culture, Youth and Social Services.**

**Hon. James Mukhongo:** That the fifth schedule be approved with amendments to read that item number 1- 4015 on registration of Community Based Organizations be amended by subscription fee or charge under unit of measure, we have per certificate and the proposed charges 2022 was 5,000 but the Committee felt and it is recommending that the charges be reduced to 3,000 so that we assist our local communities.

**Chairperson:** Thank you chair Finance and Economic Planning. Honorable Members, I now propose that item number 1- 4015 on registration of Community Based Organizations be amended as read.

*(Question proposed)*

Honorable Members, I now put a question that item number 1- 4015 on registration of Community Based Organizations be amended as read.

*(Question put and agreed to)*

#### **Sixth Schedule: Lands, Urban and Physical Planning**

**Hon. James Mukhongo:** The following Schedules from the 6<sup>th</sup> Schedule under Lands, Urban and Physical Planning, the Seventh Schedule, Lands, Urban and Physical Planning that is Building and approvals, 8<sup>th</sup> Schedule that is Housing and Sanitation, and the 9<sup>th</sup> Schedule that is Lands, Urban and Physical Planning and the 10<sup>th</sup> Schedule that is Roads, Public Works and Transport, after going through the document, we request the Committee of the Whole House to approve without any amendment.

**Chairperson:** Honorable Members, I now put a question that Schedule 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> be approved without amendments.

*(Question put and agreed to)*

#### **11<sup>th</sup> Schedule: Roads, Public Works and Transport**

**Hon. James Mukhongo:** That the 11<sup>th</sup> Schedule be approved with amendments by deleting the item code 1- 6612 on parking motorbikes from the Bill.

**Chairperson:** Honorable Members, I now propose a question that the 11th Schedule be approved with amendments by deleting the item code 1- 6612 on parking motorbikes from the Bill.



*(Question proposed)*

Honorable Members, I now put a question that the 11<sup>th</sup> Schedule be approved with amendments by deleting the item code 1- 6612 on parking motorbikes from the Bill.

*(Question put and agreed to)*

### **12<sup>th</sup> Schedule: Trade, Energy and Industrialization**

**Hon. James Mukhongo:** The 12<sup>th</sup> Schedule, 13<sup>th</sup> Schedule, Trade, Energy and Industrialization 14<sup>th</sup> Schedule, Trade, Energy and Industrialization still and the 15<sup>th</sup> Schedule still under Trade, Energy and Industrialization be approved without amendments.

**Chairperson:** Honorable Members, I now put a question that the 12th Schedule, 13th Schedule, 14th Schedule, and 15th Schedule be approved without amendments.

*(Question put and agreed to)*

### **Interpretation**

**Hon. James Mukhongo:** That the interpretation be approved without amendments

**Chairperson:** Honorable Members, I now put a question that the interpretation be approved without amendments.

*(Question put and agreed to)*

### **Long title**

**Hon. James Mukhongo:** That the long title be approved without amendments, the clause providing for the citation of the Bill and the commencement date be approved without amendments.

**Chairperson:** Honorable members, now let the committee clerk read the long title.

*A Bill of the County Assembly of Bungoma to provide for revision of the various taxes, fees and charges for the services and for other revenue raising measures by the County government; and for matters incidental there to.*

Honorable members, I now put a question that the long title be approved without amendments as read.

*(Question was put and agreed to.)*

**Chairperson:** The commencement date; Chair of Finance and Economic Planning.

**Hon James Mukhongo:** I had read both of them honorable chair, but let me repeat. The commencement date be approved without amendments.

**Hon. Benjamin Otsiula:** Honorable members, I call upon the clerk to read the commencement date.



The Bill may be cited as the Bungoma Finance bill and will come into operation or be deemed to have come into operation on such a date as the County Executive Member of Finance and Economic Planning with concurrence of His Excellency, the Governor may appoint; and different dates may be appointed for different provisions.

**Hon. Benjamin Otsiula:** Honorable members, I now put a question that the commencement date be approved without amendments.

*(Question was put and agreed to.)*

**Hon. James Mukhongo:** Thank you, Honorable Chair. I wish to move that under Standing Order No. 148, you report to Mr. Speaker the business that has transpired in the Committee of the Whole House. I wish to request my brother Hon. Chemion to second.

**Hon. Francis Chemion:** Thank you, Honorable chair. I second the reporting. Thank you.

**Hon. Benjamin Otsiula:** Thank you Hon. Chemion. Honorable members, let us rise to usher in the Speaker.

**Mr. Speaker:** I therefore invite the Chair of the Committee of the Whole House to report.

**Hon. Benjamin Otsiula:** Thank you, Mr. Speaker. I wish to give a report to this Honorable House. I rise as per Standing Order No. 147 to report the resolutions of the Committee of the Whole House on the Bungoma County Finance Bill 2022.

Bungoma County Bill number 5 of 2022:

1. Clauses as printed; none.
2. New clauses; none.
3. Schedules; 1<sup>st</sup> schedule is Finance and Economic Planning was approved with amendments,  
2<sup>nd</sup> schedule; Agriculture, Livestock, Veterinary and Fisheries was approved without amendments.  
3<sup>rd</sup> schedule on Environment, Water, and Natural Resources was approved with amendments.  
4<sup>th</sup> schedule on Public Health and Sanitation was approved without amendments. 5<sup>th</sup> schedule; Education, Culture, Youths and Social Services was approved with amendments.  
The 6<sup>th</sup> schedule; Lands, Urban and Physical Planning (County rating) was approved without amendments.  
The 7<sup>th</sup> schedule Lands, Urban and Physical Planning (Building Plans approval) was approved without amendments.  
The 8<sup>th</sup> schedule on House and Sanitation was approved without amendments.  
The 9<sup>th</sup> schedule on Lands, Urban and Physical Planning was approved without amendments.  
The 10<sup>th</sup> schedule; Roads, Public Works and Transport was approved without amendments.

The 11<sup>th</sup> schedule on Roads, Public Works and Transport was approved with amendments.

The 12<sup>th</sup> schedule on Trade, Energy and Industrialization was approved without amendments.

The 13<sup>th</sup> schedule on Trade, Energy and Industrialization was approved without amendments.

The 14<sup>th</sup> schedule on Trade, Energy and Industrialization was approved without amendments.

The 15<sup>th</sup> schedule Trade, Energy and Industrialization was approved without amendments.

The 16<sup>th</sup> schedule on Trade, Energy and Industrialization was approved without amendments.

The interpretation was approved without amendments.

The long title was approved without amendments.

The clauses providing for the citation of the Bill and the commencement date was approved without amendments.

That is the report of the Committee of the Whole House.

**Mr. Speaker:** Thank you, Honorable chair of the Committee of the Whole House. Honorable members, let us appreciate him.

*(Applause)*

That is wonderful Hon. Otsiula. I now call upon the Chair of the Committee of Finance Hon. Chemion to move the motion of the Whole House. Committee of Finance; you know what to do in such circumstances. The Chairman of the Committee of the Whole House has reported to the House; therefore the Chair of Finance knows what to do; he is a veteran. I hope you understand what has happened with him; it had to confuse him a little.

*(Laughter)*

**Hon. James Mukhongo:** Mr. Speaker, I now request the House to agree with the Committee of the Whole House. I call upon Hon. Chemion to second.

**Hon. Francis Chemion:** Thank you, Mr. Speaker. I second our committee chair and ask the House to agree with whatever we have approved.

**Mr. Speaker:** Thank you, Hon. Masai Chemion. Honorable members, I therefore put a question that this House does agree with the committee in the said report.

*(A question was put and agreed to)*

*(Applause)*

Honorable members, I therefore direct that the Bill be read for the third time during the sitting of this day which is Wednesday 8<sup>th</sup> March, 2023 at 2:30 p.m. Being the last item on the Order Paper, we adjourn to 2:30 p.m in the afternoon.

*(House adjourns)*