

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, SEPTEMBER 19TH, 2023

Afternoon Sitting

Third County Assembly,

Second Session

1

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COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

TUESDAY, 19TH SEPTEMBER, 2023

The House met at 2:30 p.m.

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

PRAYER

COMMUNICATION FROM THE CHAIR

1. VISITING DELEGATION FROM RAINBOW LEARNING ACADEMY

Honourable Members, in our public galleries, we have pupils from Rainbow Learning Academy. They have come to learn on the structure of the County Government, their functions, duties of the Governor and sources of income in the County Government of Bungoma. They are a good number of 104. Kindly let us have all the pupils be upstanding. They are accompanied by the following Teachers; Damaris Wanjusi, be upstanding, Marion Masika, Rebecca Wafula, Faith Wakoli, Elizabeth Kong'ani and lastly Daniel Wangila. Be upstanding. Kindly be sited.

Honourable Members at our appropriate time on our Order Paper, I will set aside sometime for the Honourable Members to make brief remarks about our visitors at the public galleries. I was wondering if it is in Lwandanyi or Malakisi but we will find out as we proceed with the session. Thank you.

PAPERS

1. REPORT ON THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023

Mr. Speaker: Chair or any Member from that Committee? Hon. Joseph Nyongesa?

Hon. Joseph Nyongesa: Thank you Speaker. On behalf of the Chair, allow me table the report by the Committee on Gender, Culture and Social welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023.

Mr. Speaker: Honourable Members, the report by the Sector Committee on Gender, Culture, and Social Welfare on the Bungoma Public Entertainment and Amenities Bill, 2023 is hereby tabled and formally becomes the property of this House.

2. REPORT ON THE CONSIDERATION OF BUNGOMA COUNTY INSPECTORATE, COMPLIANCE
AND ENFORCEMENT BILL, 2023

Mr. Speaker: Chair, Committee on Public Administration and ICT?

Hon. Tony Barasa (Chairperson, Committee on Public Administration and ICT): Thank you Hon. Speaker; allow me to table the Report by the Sector Committee on Public Administration and ICT on the consideration of the Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023.

Mr. Speaker: Thank you Chair Public Administration and ICT. Honourable Members, the report by the Sector Committee on Public Administration and ICT on the consideration of Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023 is hereby tabled and formally becomes the property of this House.

NOTICES OF MOTION

1. REPORT ON THE BUNGOMA PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023

Mr. Speaker: Hon. Leader of Majority, proceed and issue the notice.

Hon. Joseph Nyongesa: Thank you Speaker. Allow me give a notice that the report by the Sector Committee on Gender, Culture and Social Welfare on the Bungoma Public Entertainment and Amenities Bill, 2023.

Mr. Speaker: Honourable Members, a notice of motion having been duly issued by the Sector Committee on Gender, Culture and Social Welfare on the Bungoma Public Entertainment and Amenities Bill, 2023. I do hereby direct the Clerk to share this report with the Honourable MCAs. It is going to form Business on our Order Paper in the course of the week or once the same is scheduled by the HBC.

2. REPORT ON THE CONSIDERATION OF THE BUNGOMA COUNTY INSPECTORATE,
COMPLIANCE AND ENFORCEMENT BILL, 2023

Hon. Tony Barasa: Thank you Speaker, I now take this opportunity to issue a notice of motion that the House adopts a report by the Sector Committee on Public Administration and ICT on the consideration of Bungoma County Inspectorate Compliance and Enforcement Bill, 2023.

Mr. Speaker: Thank you. Honourable Members, a notice has been duly issued by the Sectoral Committee on Public Administration and ICT on the consideration of the Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023. The document to be shared with the Honourable MCAs to form a Business on the Order Paper in the course of the week or once it is scheduled by HBC.

QUESTIONS AND STATEMENTS

BUSINESS OF THE WEEK

Mr. Speaker: Hon. Cornelius you have the honour to share the Order Paper for the week. Proceed, please.

Hon. Cornelius Makhanu: Thank you Mr. Speaker Sir. I rise to present a weekly program of the House Business Committee. Order no. five Papers; report by Sectoral Committee on Gender, Culture and Social Welfare on the Bungoma Public Entertainment and Amenities Bill, 2023.

Mr. Speaker: Honourable Member, we will get confused here. You must tell us on which date we are. If it is today, give us the Order Paper for the Week; today, tomorrow morning, afternoon and then Thursday accordingly.

Hon. Cornelius Makhanu: Thank you Mr. Speaker Sir. I present the weekly report commencing Tuesday, 19th to Thursday, 21st September, 2023.

Tuesday, 19th September, 2023 at 2:30 p.m.

PAPERS

1. Report by Sector Committee on Gender, Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023.

2. Report by the Sector Committee on Public Administration and ICT on the consideration of Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023.

NOTICES OF MOTION

1. That this House adopts the report by Sector Committee on Gender, Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023.

2. That this House adopts the report by the Sector Committee on Public Administration and ICT on the Consideration of Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023.

QUESTIONS AND STATEMENTS

STATEMENTS

A member of the House Business Committee pursuant to provisions of Standing Order No. 47 (2) (a); a statement informing the County Assembly of the weekly business coming before the House from Tuesday, 19th to Thursday, 21st September, 2023.

MOTION

I. Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the Bungoma County Government nine month financial statement for financial year 2022/2023 in respect to the department of Lands, Urban, Physical Planning and Housing.

II. Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Revenue Administration and Management Amendment Bill, 2023.

BILL

The Bungoma County Public Market Amendment Bill, 2023 (second reading)

A Bill of the Act of the County Assembly of Bungoma to amend the Bungoma County Public Market Act, 2017 and for connected purposes

Committee of the Whole House on the Bungoma County Public Market Amendment Bill, 2023

NOTICE

Notice is given that the person/pursuant of the Sectoral Committee on Trade, Energy and Industrialization.

Chairperson of the Sectoral Committee on Finance and Economic Planning intended to move the following amendments to the Bungoma County Public Market Amendment Bill, 2023 at the committee stage.

On Wednesday, 20th September, 9:30 a.m

PAPERS

- I. Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Cooperative Societies Bill, 2023.
- II. Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Government nine month financial statement for financial year 2022/ 2023 in respect to the Department of Finance and Economic Planning.

NOTICES OF MOTION

- I. That this House adopts the report by the Sectoral Committee on Agriculture, Livestock Fisheries, Irrigation and Cooperative Development on the Bungoma County Cooperative Societies Bill, 2023.
- III. That this House adopts a Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Government nine month financial statement for financial year 2022/ 2023 in respect to the Department of Finance and Economic Planning.

MOTIONS

- I. Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources for the Bungoma County Government nine months financial statement for the financial year 2020 / 2023 in respect to the Department of Tourism, Environment, Water and Natural Resources

II. Report by the Sectoral Committee on Education and Vocational Training on the Bungoma County Government nine months financial statement for financial year 2022/ 2023 in respect to the Department of Education and Vocational Training.

BILL

The Bungoma County Public Markets Amendment Bill, 2023;

A Bill for an Act of the County Assembly of Bungoma to amend the Bungoma County Public Markets Act, 2017 and for connected purposes (Third reading)

On Wednesday, 20th September, 2023 2:30p.m

PAPERS

I. Report by the Sectorial Committee on Tourism, Environment, Water and Natural Resources on the status of garbage collection and management in the County.

II. Report by the Sectorial Committee on Finance and Economic Planning on County Revenue Fund Statement financial year 2022/2023 For the period ended 31st December, 2022

NOTICES OF MOTION

I. That this House adopts the report by the Sectorial Committee on Tourism, Environment, Water and Natural Resources on the status of garbage collection and management in the County.

II. That this House adopts the report by the Sectorial Committee on Finance and Economic Planning on County Revenue Fund Statement financial year 2022/2023 For the period ended 31st December, 2022

QUESTIONS AND STATEMENTS

It is notified that pursuant to Standing Order No.49. The following member will ask questions for the reply before the committee.

Question No.58 / 2023. Member for Tuti /Marakaru Ward Hon. Joseph Nyongesa MCA to seek a response from the CECM, Education and Vocational Training through the Sectoral Committee on Education and Vocational Training in relation to utilisation of 3 per cent of both Scholarship and Bursary Funds,

Mr. Speaker :(*Inaudible*) become for other particulars you proceed to the next item.

Hon. Cornelius Makhanu: Then NOTICES;

The Bungoma County Revenue Administration and Management Amendment Bill, 2023; notice is given that the chairperson of the Sectoral Committee on Finance and Economic Planning intends to move the following amendments.

Mr. Speaker: Honourable... I think number nine is the one which is supposed to talk about notices; what of number eight Wednesday at 2:00 p.m.

Hon. Cornelius Makhanu: Thank you Mr. Speaker, Sir. On Wednesday, 20th at 2:30 p.m.; order number eight;

MOTION

- I. Report by the Sectoral Committee on Gender, Culture and Social Welfare on the Bungoma County Government nine months financial statements for financial year 2022/ 2023 in respect to the Department of Gender, Culture and Social Welfare.

That this House adopts the report by the Sectoral Committee on Gender, Culture and Social Welfare on the Bungoma County Government nine months financial statements for financial year 2022/2023 in respect to the Department of Gender, Culture and Social Welfare laid on the table of the House on 21st June, 2023.

- II. Report the by the Sectoral Committee on Finance and Economic Planning on County Policy Statement on enhancement of own resource revenue.

That this House adopts the report by the Committee on Finance and Economic Planning on County Policy Statement on enhancement of own revenue laid on the table of the House on 14th September, 2023.

BILL

The Bungoma County Revenue Administration and Management Amendment Bill, 2023; a Bill for an Act of County Assembly of Bungoma to amend the Bungoma County Revenue Administration and Management Act, 2019 and for connected purposes.(**Second Reading**)

COMMITTEE OF THE WHOLE HOUSE

The Bungoma County Revenue Administration and Management Amendment Bill, 2023

On Thursday, 21st September, 2023 at 2:30 p.m.

PAPERS

Report by Liaison Committee on the activities of the County Assembly Committees in the financial year 2022/ 2023

NOTICES OF MOTION

That, this House adopts the Report by Liaison Committee on the activities of the County Assembly Committees in the financial year 2022/ 2023

MOTION

Report by the Sectoral Committee on Trade and Industrialization, on the nine month financial statement for the period ending 31st March, 2023 in respect to the Department of Trade Energy and Industrialization

BILLS

The Bungoma County Revenue Administration and Management Amendment Bill, 2022

A bill for an Act of the County Assembly of Bungoma to amend the Bungoma County Revenue Administration and Management Act, 2019 and for connected purposes (Third reading)

Mr. Speaker: Thank you, you table it because it is no longer yours. It is for the House consumption.

Hon. Cornelius Makhanu: Thank you, Mr. Speaker. I table the report.

Mr. Speaker: You can't table and retain it. Honourable Members, next item under the said title ought to be statements.

We said we have visitors from Rainbow Learning Academy. I will now allow the Honourable area MCA from Siboti Ward to make some brief remarks. The Chair of the Committee is present proceed.

Hon. Orize Kundu: Asante sana Spika kwa kunipa nafasi hii niweze kuzungumza na wanafunzi kutoka shule ya Rainbow ambao wako katika eneo langu la Sango. Ni shule nzuri ambayo ilianzishwa juzi na ilifanya mtihani ya *class* (darasa) la nane...

Mr. Speaker: Yes...

Hon. Member: (*In audible*)

Mr. Speaker: I have send out my sergeant to confirm because we cannot be debating a school which is leaving the plenary. They either choose to go out or we drop this item and move to something else... it cannot be both. If they are impatient, they ought not to come here for learning. Let us proceed.

Hon. Orize Kundu: Asante Sana. Hii shule imeanza majuzi lakini imefanya vizuri katika mtihani wa darasa la nane. Nachukua nafasi hii pia kushukuru walimu ambao wamefanya mpango kuleta watoto wa Rainbow wapate masomo kwa hili jumba la sharia, Kaunti ya Bungoma. Na mimi kama mwakilishi wa Wadi ya Siboti nataka kuwaambia wanafunzi wenye mmekuja hapa siku ya leo kusoma kuwa nyinyi ni watoto wadogo, nyinyi ni kama wajukuu wangu. Nawahimiza ya kwamba mtie bidii kwa masomo. Hii ni nafasi yenu kupata elimu ili muweze kutengeneza *future* (siku zijazo) zenu ili ziwe ambazo zitasaidia wakenya.

Huu ni wakati ambao yale umekuja kusoma hapa ukirudi nyumbani uwaheshimu wazazi wako, walimu na yeyote unayekutana naye njiani, yule ambaye humjui. Ukimkosea akuambie umekosa omba msamaha. Msamaha ni jambo la maana sana kwa mwanadamu. Hii shule ni karibu sana na nyumbani kwangu pahali mimi natoka. *Director* (mkurugenzi) wa hii shule ni jirani yangu; amefanya bidi kuweka hii shule kwa mazingira mazuri, watoto wamelelewa vizuri katika shule hii. Ni shule ambayo kwa miaka ijayo itakuwa shule inayojulikana katika kaunti ya Bungoma. Kwa hivyo waalimu nawapa pongezi mmefanya bidii, watoto wafanye mthihani, wapite vizuri wasaidie wakenya siku zujazo.

(*Applause*)

Mr. Speaker: Chair, Committee on Education we want to be very brief.

Hon. Benjamin Otsiulah (Chairperson, Committee on Education and Vocational Training): Thank you Hon. Speaker for allowing me to speak to the teachers and pupils of Rainbow Academy. First of all, I want to appreciate the management of the school together with the teachers for organising a learning trip, which is an exposure to our young pupils. It is very important that our young learners get exposed as early as now or as early as possible because of the highly competitive nature of life currently experienced in the whole world. According to your communication, the learners come to equip themselves with knowledge concerning county government and how the County Assembly performs its functions. Since they are here on a learning expedition, I just wish to inform them that this House sits to legislate; that is to make laws that run the County Government or manage the operations of the County Government of Bungoma.

This House as well is representative in nature that Members of the County Assembly sited here represent the various interests of the people. Thirdly, the learners also have to understand that the role of this County Assembly is to oversight or to put pressure on the County Government; that is the Executive to deliver as far as the laws passed by this House are concerned and in the interest of the people of the County of Bungoma. As a House, we foster the spirit of education. While seated here Honourable Members debate, approve the budget, and we cater for the monies made for bursaries and scholarships; because it is this House that will determine how much money is set aside to take care of the educational needs of our pupils as far as the bursaries and special scholarship is concerned.

I am sure for those who are candidates going to sit for exams this year, in January, one of the board members will be moving around to ensure that they secure chances either on the scholarship programme or they get bursaries to enable them proceed with education at the secondary level. I want to thank them and to encourage the teachers that they are doing a very noble job of keeping our learners in school.

Finally, I wish to remind them and even the teachers sitting there that this House is full of teachers. However, I am not encouraging them to go back and contest in 2027, but I am just reminding them that education is the key to turn everything around in our lives. Hon. Tendeti seated here, second left is a reputable teacher and I must recognise him for his efforts. Thank you so much, Mr. Speaker.

Mr. Speaker: Thank you Hon. Otsiulah. Now, the only mistake you made, you spoke of Hon. Tendeti but you forgot Hon. Psero who is his neighbour and all teachers. Of course, when you speak about teachers Hon. Chemion is there...

Hon. Benjamin Otsiulah: Let me refer to him properly Mr. Speaker, the former Principal Cheptais Boys High school, thank you.

Mr. Speaker: Hon. Otsiula, Chairperson, Education. I think you need to come so that I give you an entire list of teachers in this House. I know each one of them.

Thank you, we proceed to the next item on our Order Paper.

Before we proceed I have seen the grandfather wants to speak to his grandchildren, let me allow Hon. Mukhongo then we proceed.

Hon. James Barasa: Thank you Mr. Speaker, indeed it is a big honour, I am speaking to the pupils of Rainbow Academy from Siboti Ward. When I joined this Honourable House, none of the students who are sited in the public gallery was on this earth, even some of the teachers sited there. I am very sure because I joined this House in 2002 and up to date; I am still enjoying the privileges of this Honourable House.

I am aware the Sergeant-at-Arms have done the necessary but I want to thank in particular the people of Siboti. In the last regime I worked with my brother, he was the Deputy Speaker at one time and when he misbehaved we removed him from that position and that was the beginning of him going back home. My able brother here Hon. Orize now came in as the area MCA, I am proud of him, he is my Vice Chairperson on the Committee on Finance and Economic Planning; and that now tells us that the people of Siboti made the right choice.

I know the Sergeant-at-Arms have taken the pupils around and they have also told them about the operations of this institution, but I just want to say one thing. When you look at this House, there are designated seats where some of us can't just occupy; you must hold that title before you sit on that seat. The seat of the Leader of Majority, the Deputy, Leader of Minority, the Deputy, the Chief Whip of Majority side and the Deputy, Chief Whip of Minority side and the Deputy.

As I am standing here, I am almost facing the boundary of the people belonging to government from that side where my brother the Deputy Chief Whip is sitting, coming this

way up to where our Leader of Majority is sitting; that is the government side. But, where my brother Hon. Mulongo is sitting going towards the other side is the minority side; and you can see indeed they deserve to be the minority, you can see the numbers.

When you go home, you need to tell your parents that we have the Leader of Majority who moves the Business of the government of the day and the government of the day in Bungoma is Ford Kenya in collaboration with Kenya Kwanza!

Mr. Speaker: No Honourable Member, that is not in order!

Hon. James Barasa: Thank you Hon. Speaker, but it is well known, the Governor of Bungoma is a member of Ford Kenya...

Mr. Speaker: No that is not in order, just proceed...

Hon. James Barasa: But we have the Kenya Kwanza government in this Honourable House whether you like it or not, even Azimio are there.

Let me come back to where I was, this is your time, utilize it, read hard; when you will be leaving primary level, if you have not made it, you will regret for long. The government of the day has introduced things like scholarship and bursaries; so you will only benefit if you have worked hard. My brother Hon. Otsiula here is our Chairperson and he is also from Bumula and you also come from Bumula;so please, this is your time to work hard.

To our teachers, you had a passion before you joined that sector, please nurture our children well so that you give them some light in future. I forgot the Honourable Member sitting on top is also an MCA of this House, but he is the overall person because he is our Speaker. You can see he has been moderating; when you go astray he puts you on the right track. I appreciate for the opportunity.

Mr. Speaker: Thank you Hon. Barasa Mukhongo, Honourable Members, allow me on behalf of the entire House, House Leadership and Assembly Management wish the pupils in our gallery all the best in the end year examination. They can sit around, learn more as we proceed.

Next item...

MOTIONS

1. REPORT ON THE BUNGOMA COUNTY GOVERNMENT NINE MONTH FINANCIAL STATEMENT FOR FINANCIAL YEAR 2022/23 IN RESPECT TO THE DEPARTMENT OF LANDS, URBAN, PHYSICAL PLANNING AND HOUSING

Hon. Francis Chemion (Chairperson, Lands, Urban, Physical Planning and Housing):

Thank you Hon. Speaker, I wish to move a motion on the report by the committee on Lands, Urban, Physical Planning and Housing on the nine months financial report for the period ending 31st March, 2023; in respect to the department of Lands, Urban, Physical Planning and Housing.

We have the preamble, the document is very brief and I know we have very many activities ahead of us so I will read very fast.

PREAMBLE

Mr. Speaker Sir,

This report is an amalgamation of the scrutiny of both the financial statements for the period ended 31st December, 2022 (half year) and the period ended 31st March, 2023 (third quarter) in respect to the ministry of Lands, Urban and Physical Planning, Housing and Municipalities.

It analyses expenditure of exchequer releases during the stipulated periods as well as the budget absorption rate in relation to the annual budget.

It gives the legal background and objectives that informed the committee to analyze the financial statements as submitted and further through an interrogation process.

It contains observations and recommendations unanimously adopted by the Committee.

As is required by the law guiding effective oversight towards the delivery of services in the spirit of devolution, the County Government of Bungoma prepared and submitted a consolidated half year financial report for the period ended 31st December, 2022 to the County Assembly which was tabled and committed to various sector committees on 18th March, 2023. Furthermore, the nine month financial statements for the period ended March

31st, 2023 were tabled on 3rd May, 2023 and, likewise, committed to the various Sector Committees.

The respective sectoral committees were to extract their reports, interrogate and report back to the House.

Mr. Speaker allow me go to Committee membership

The current composition of the Committee on Lands, Urban, physical Planning and Housing is as follows:

1. Hon. Francis Chemion Chairperson
2. Hon. Linda Kharakha Vice/Chairperson
3. Hon. Ali Machani Member
4. Hon. James Barasa Member
5. Hon. Metrine Nangalama Member
6. Hon. Sudi Busolo Member
7. Hon. Henry Nyongesa Member
8. Hon. Eunice Kirui Member
9. Hon. Edwin Opwora Member
10. Hon. Wafula Waiti Member
11. Hon. Mildred Barasa Member
12. Hon. Everlyne Anyango Member
13. Hon. Cornelius Mahanu Member
14. Hon. Jeremiah Kuloba Member
15. Hon. Johnson Ipara Member

ACKNOWLEDGEMENT

I take this opportunity to thank the Office of the Hon. Speaker and that of the Clerk to the County Assembly of Bungoma for the support received as it discharged its mandate. I further extend my appreciation to committee members for dedicating their time to examine the County Government's Half- Year and third quarter financial statements for Lands, Physical Planning, Housing and Municipalities.

Lastly, I would also like to appreciate the members of the secretariat who supported the Committee in developing this report.

It is therefore my pleasant duty and privilege, on behalf of the Honourable Members of the committee on Lands, Physical Planning and Municipalities to move this report and recommend it to the Assembly for consideration and adoption.

The report is signed by the Chairperson Hon. Francis Chemion.

CHAPTER TWO

THE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH 2023

The Committee extracted from the consolidated half year and nine months financial statements, the financial reports relating to the Department of Lands, Urban & Physical Planning, Housing and Municipalities. The Committee further conducted a one on one interrogation to seek clarity on the expenditures and the rate of absorption of the budget. This was done on 17th April, 2023 for the Half year and 22nd May, 2023 for the nine months.

ANALYSIS OF THE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH, 2023

The County targeted revenue for the financial year 2022/23 is Kshs14, 821, 204, 142 as per the approved 1st supplementary budget. The expenditure target for the period under review was Kshs11, 115,903,106 out of the total budget for the entire Fiscal year. This represents 75 per cent of the total expenditure budget for the financial year. The recurrent expenditure target was Kshs7, 780,757,791 while the target for development expenditure programmes in the half year is Kshs3, 335,145,315

By the end of the nine months period, the County received a total revenue of Kshs6,321,552,397 with the third quarter alone (Jan 1st – 31st March) receiving

Kshs2,236,494,282 being the difference between what was declared by half year (Ksh4,085,058,115). The source of the amount was as shown here below;

- a) Exchequer releases - Kshs6, 303,156,902
- b) Other receipts (Mabanga ATC) – Kshs18, 395,495

Of this, the department of Lands, Urban & Physical Planning, Housing and Municipalities, received a total of Kshs112,628,313 (Kshs34,583,418 for Lands, Kshs17,408,692 for Housing Kshs25,157,079 for Bungoma Municipality, Kshs35,479,124 for Kimilili Municipality).

CHAPTER THREE

DEPARTMENTAL EXPENDITURE ANALYSIS

Lands & Urban Planning

The department of Lands, Urban & Physical Planning had an annual approved budget of Kshs125, 632,264 comprising of Kshs69, 896,902 recurrent and Kshs55, 735,362 for Development expenditure programs. The absorption of the budget was Kshs34,583,418 up from Kshs20,106,959 at the end of 2022; translating to absorption of 28 per cent of the budget. Of this Kshs24, 962,094 relates to the recurrent vote and Kshs9, 621,324 to the development vote (including Kshs5, 300,000 pending bills paid)

Pending staff receivables (outstanding imprest holders) in the department stood at Kshs16, 213,300 at the end of 31st March 2023 up from Ksh7, 669,750 that were issued by December 2022. The department did submit that most imprests had been surrendered from their end only that this had not been effected from the Treasury side.

Budget execution by programmes and sub-programmes reveals expenditures in all recurrent votes except the votes on Insurance cost (Kshs640, 000) and Purchase of Computers (Kshs400, 000) that had nil expenditure.

Pending bill has a budget provision of Kshs15, 817,522 (Recurrent Kshs5, 703,761 Development Kshs4, 715,829 and Kshs5, 397,932 for Ward based projects). By half year the outstanding balance was Ksh7, 333,507; which dropped to Kshs3, 633,507 by end of March having cleared Kshs3, 700,000 in the third quarter alone.

Housing

The department of Housing had an annual approved budget of Kshs211, 094,647 comprising of Kshs38, 039,575 recurrent and Kshs173, 055,072 for Development expenditure programmes. The absorption of the budget was Kshs17, 408,692 up from Kshs10, 187,528 at the end of 2022 translating to absorption of 8% of the budget. Of this Kshs15, 750,928 relates to the recurrent vote and Kshs1, 657,764 to the development vote.

Pending staff receivables (outstanding imprest holders) in the department have been captured under the Broader Ministry of Lands and Housing and stands at Kshs16, 213,300 at the end of 31st March, 2023.

Budget execution by programmes and sub-programmes are indicated that most recurrent votes had not incurred expenses by the end of the third quarter. However, it was noted that a majority of those votes had been committed in the vote book except Water and sewage, advertising and Membership fees.

Pending bill has outstanding amount of Kshs9, 890,934 against a budget provision of Kshs7, 527,364 (Recurrent Kshs946, 300 Development Kshs6, 631,064). By end of March, 2023, the outstanding balance was Kshs7, 748,762, having reduced from Ksh9, 890,934 at half year, indicating efforts to clear pending bills.

Bungoma Municipality

The Bungoma Municipality had an annual approved budget of Kshs351, 485,765 comprising of Kshs35, 843,235 recurrent and Kshs315, 642,530 for Development expenditure. The absorption of the budget was Kshs25,157,079 up from Kshs7,577,334 at Half year translating to absorption of 4 per cent of the budget with Kshs15,290,707 being recurrent and Kshs9,866,372 being development vote expenditure. The Municipality attributed this low absorption rate to among others;

- a. Limited budgetary allocations owing to failure to receive any disbursement from the Kenya Urban Support Program (KUSP) despite there being an allocation in the Budget estimates.
- b. Delayed funding of the Municipality programs by treasury.

Budget execution by programmes and sub-programmes show that the Municipality was able to spend/ commit most of its recurrent allocations with only advertisement, Refined fuel and motor vehicle expenses having nil expenditure. This was because the Municipality does not have a vehicle and it is planning to purchase one.

Kimilili Municipality

The Kimilili Municipality had an annual approved budget of Kshs605, 222,222 comprising of Kshs38, 215,833 recurrent and Kshs567, 006,389 for Development expenditure programmes (page 19). The absorption of the budget was Kshs13, 226,850 up from Kshs5, 458,548 at Half year translating to absorption of 4 per cent of the budget. However, from the information provided by the Municipality board which include the IFMIS vote book, the Municipality expenditure stands at Kshs35,479,124 with Kshs15,801,063 being recurrent and Kshs19,678,061 being development vote expenditure. If commitments on some votes are considered, the total expenditure stands at Kshs23, 948,637 which translates to an absorption rate of 63 per cent of recurrent votes alone.

Despite the financial statement showing that there are no Pending bills in the Municipality, the Municipal Manager did submit pending bill list totaling to Kshs2, 286,000.6 for recurrent and Kshs16, 820,659.58 for development. ...

Committee Observations

- 1) From the financial statement and the Department's submission, the absorption rate for development vote was still way below the required threshold of 75 per cent despite being very close to the end of financial year.
- 2) The Ministry did not breakdown the imprest relating to its various departments. Additionally, the department submitted that some of the imprests listed as un-submitted had been submitted to County treasury.
- 3) There is a delay in processing and releasing of funds from County Treasury hampering the operations of the Department.
- 4) The Municipalities were greatly underfunded owing to there being no releases from the KUSP grant despite there being budget allocation for the same.

5) Pending staff receivables (outstanding imprest holders) in the department stood at Kshs.16, 213,300 at the end of 31st March, 2023 up from Kshs7, 669,750 that were issued by December, 2022.

6) Most recurrent votes in Housing had not incurred expenses by the end of the third quarter. However, it was noted that a majority of those votes had been committed in the vote book except Water and sewage, advertising and Membership fees.

7) In Kimilili Municipality, the documents submitted show that the pending bill is Kshs16, 820,659.58 for development. The management submitted that the variance is occasioned by the funds borrowed by the department and are yet to be refunded.

COMMITTEE RECOMMENDATIONS

1. THAT the treasury should be indicating the amount allocated to every department in every exchequer release.

2. THAT the department should come up with an elaborate procurement plans and also prioritize activities to enable each activity to be undertaken. This will boost the absorption rate for development vote which was at 28 per cent; way below the required threshold of 75 per cent.

3. THAT the outstanding imprest in the department was too high at Kshs16, 213,300 at the end of 31st March, 2023. The department should hasten and put in place measures to ensure imprests are surrendered on time.

4. THAT the County treasury should consider increasing the budgetary allocations and releasing the funds in time to the two Municipalities of Bungoma and Kimilili owing to failure to receive any disbursement from the Kenya Urban Support Program (KUSP).

5. THAT the department should ensure it refunds the money borrowed from Kimilili Municipality to enable the Municipality pay the pending bill of Kshs16,820,659.58, money meant for upgrading of Mukulima- Nasusi (phase 1) road to bitumen standards.

Hon. Speaker we have the adoption schedule dully signed by all the members of the committee and we also have the attachments. I want to take this opportunity to ask Hon. James Mukhongo to second this report.

Hon. James Mukhongo: Thank you Hon. Speaker. I now stand to second the motion that has been presented by my chairperson Hon. Chemion. However, when you followed keenly, Honourable Members, when you look at the recommendations of the Committee, they cut across all the departments. I am pleading with the House and even my chairperson that after passing this motion, we need to follow up. Because many of our sectorial committees or the Executive entities are not meeting the absorption rate as it is required in every quarter.

We have given a clear map that each sectoral committee must have an elaborate procurement plan to be tabled in this House so that we can make follow ups as an oversight entity. You remember some three days ago and I want to thank God whoever thought it wise that in every organization you must have the opposition side; our brothers on the opposition side, what they are doing is good because they reminded us in government that we passed the budget estimates in the month of June and up to now we are not seeing implementation of projects.

Projects are not being advertised and people are sitting in offices; it will reach a time when time is running out that we will start looking up and down to advertise the projects. We need to join our hands all together put the Executive on its toes for them to implement. If they implement the projects, we will have easy time to seek for re-elections.

Look at the outstanding imprest, it is wanting and we need to stamp our authority as an entity with the oversight role; that when given an imprest, surrenders must be done within the stipulated time. By so doing, I think we will have to work smart. Otherwise, I second the report.

Question for debate proposed

Question for adoption of the report put and agreed to.

(Applause)

2. REPORT ON THE BUNGOMA COUNTY REVENUE ADMINISTRATION AND MANAGEMENT AMENDMENT BILL, 2023

Hon. Catherine Kituyi: Thank you Mr. Speaker Sir. I rise to move a motion on the report of the Committee on Finance and Economic Planning on the Bungoma County Revenue Administration and Management Amendment Bill, 2023.

Chapter One

On behalf of the members of Finance and Economic Planning Committee, it is my pleasure and duty to present to the House the committees report on the Bungoma County Revenue Administration and Management Amendment Bill, 2023. Do I read the mandate of the Committee?

Mr. Speaker: Leave it out and move to the membership of the Committee.

Hon. Catherine Kituyi: I move to the membership of the Committee. The Committee on Finance and Economic Planning as currently constituted comprise of the following members;

- | | |
|-----------------------------|------------------|
| 1. Hon. James Mukhongo | Chairperson |
| 2. Hon. Orize Kundu | vice Chairperson |
| 3. Hon. Stephen Wamalwa | Member |
| 4. Hon. Evelyn Mutiembu | Member |
| 5. Hon. Violet Makhanu | Member |
| 6. Hon. Jack Kawa | Member |
| 7. Hon. Vitalis Wangila | Member |
| 8. Hon. Francis Chemion | Member |
| 9. Hon. Tony Barasa | Member |
| 10. Hon. George Makari | Member |
| 11. Hon. Aggrey Mulongo | Member |
| 12. Hon. Godfrey Wanyama | Member |
| 13. Hon. Everton Nganga | Member |
| 14. Hon. Christine Mukhongo | Member |
| 15. Hon. Catherine Kituyi | Member |

Acknowledgment

Mr. Speaker Sir, Let me take this this opportunity to express the chairperson's and committee's gratitude and sincere thanks to the members of the Committee for dedicating their time to sit and examine the Revenue Administration and Management Amendment Bill, 2023. The Committee would also like to register appreciation to the members of the secretariat who worked with us for their unwavering commitment. Lastly, the Committee is grateful to the Offices of the Hon. Speaker and Clerk of the County Assembly of Bungoma for the support received as it discharged its mandate of reviewing the Bill.

Mr. Speaker Sir, it is therefore my duty on behalf of the Committee on Finance and Economic Planning to table this report and recommend it to the County Assembly for consideration and adoption. It is signed by the chairperson Hon. James Barasa Mukhongo.

Chapter Two

Background information

First Reading of Bungoma County Revenue Administration and Management Amendment Bill, 2023 No. 1 was sponsored by Hon. James Mukhongo on 25th April, 2023 pursuant to Standing Order No.139 of the County Assembly of Bungoma. The Bill was committed to the Committee on Finance and Economic Planning for consideration and facilitation of public participation in compliance with Standing Order no. 40 of the County Assembly of Bungoma Standing Orders.

General Overview of the Bill and its objectives

The principle objective of this Bill is to amend the Bungoma County Revenue Administration and Management Act, 2019 by introducing a schedule for providing for fees and charges. The Bill complies with the following fundamental principles of enacting a Bill;

1. The Bill does not infringe on the fundamental rights and freedom enshrined in the constitution but the parent Act delegates the legislative authority to County Executive Committee to make regulations for better carrying into effect the provisions of this Act.
2. The bill conforms to the constitution and relevant applicable laws
3. The implementation of the Bill shall occasion additional expenditure on public funds which shall be provided for in the Annual estimates.

4. Article 209 (4) and (5) of the constitution provides that the National/County Governments may impose charges on the services that they provide.

The taxation of other revenue raising powers of the county shall not be exercised in the way that prejudices national economic policies, economic activities across the county boundaries or the national mobility of goods, services, capital or labour.

In addition, Article 210 (1) of the Constitution on imposition of tax provides that no tax or licensing fee may be imposed, waived or varied except as provided by the legislation. Based on the aforementioned, the Bill concerns the County Government.

5. The Bill confirms to the style, form and structure of drafting of a bill.

Legal framework

a) Constitution

Article 185 of the Constitution makes provisions for legislative authority of County Assemblies;

1. Legislative authority of a county is vested in and exercised by its County Assembly
2. A County Assembly may make any laws that are necessary or incidental to the effective performance of the functions and exercise the powers of the County Government under the Fourth Schedule. That is the power to collect local revenue and Article 209 (3) of the Constitution of Kenya, 2010 provides that;

a) County may impose tax;

1. in property rates

b) Entertainment taxes, and

c) Any other tax that is authorized to impose by any Act of Parliament

Article 210 of the Constitution of Kenya on imposition of tax states that;

1. No tax or licensing fee may be imposed, waived or varied except as provided by the legislation

2. If legislation permits the waiver of any tax or licensing fee;

a) A public record of which waiver shall be maintained together with the reasons for the waiver, and

b) Each waiver and the reasons for it shall be reported to the Auditor General

3. No law may exclude or authorize the exclusion of state officer of payment tax by reasons of;

a) Office held by the state officer

b) The nature of the work of the state office

b) County Governments Act

Procedure on Legislation

Section 21 of the County Governments Act makes provision for procedure for exercise of legislative powers;

1. A County Assembly shall exercise its legislative power through bills passed by the County Assembly and assented to by the Governor

2. A bill may be introduced by any member or committee of the County Assembly but money bill may be introduced only in accordance with the sub-section 4

3. In the case of a money bill the County Assembly may proceed only in accordance with the recommendations of the relevant County Assembly after taking into account the views of the County Executive Committee Member responsible for Finance. The provisions of Section 21 of the County Governments Act on procedure on the exercise of legislative powers or replicated in Part XX of the County Assembly of Bungoma Standing Orders.

c) Public Finance Management Act, 2012

Power of CECM Finance to develop measures to raise local revenue

Section 132 of the Public Finance Management Act (PFMA) provides that;

1. Each financial year the CECM Finance shall with approval of the County Executive Committee make pronouncement of revenue raising measures for the County Government

2. The County CECM Finance shall on the same date that the revenue raising measures are pronounced submit to the County Assembly the County Finance Bill setting out the revenue raising measures for the County Government together with the policy statement expounding on those measures.

3. Any recommendations made by the relevant committee or adopted by the County Assembly on revenue matters shall;

a) Ensure that the total amount of revenue raised is consistent with the approved fiscal framework of the County Allocation of Revenue Act

b) Take into account the principles of equity, certainty and ease of collection

c) Consider the impact of the proposed changes on the composition of tax revenue with reference to direct and indirect taxes

d) Consider domestic, regional and international tax trails

e) Consider the impact on development, investment, employment and economic growth, and

f) Take into account the taxation and other tariff agreements, obligations that Kenya has ratified including taxation and tariff agreements under the East African Community Treaty, and

4) The recommendation of CECM Finance shall be included in a report and tabled in the County Assembly

Chapter Three

Public Participation

Mr. Speaker Sir, public participation is considered as a crucial pillar in Kenyan Constitution as it provides democracy by providing the public an opportunity in decision making in government hence promoting national values and principles of governance.

Further, Article 174 (c) provides that object of devolution of governance is to give powers of self-governance to the people and enhance the participation of the people in exercise of the powers of the state and in making decisions affecting them.

Further, Article 118 (1) (b) requires parliament to facilitate public participation and involvement in legislative and other business of the Assembly and its committees. It provides that parliament conducts its business in an open manner and that the committees be open to public.

The Standing Orders provides that Sectoral Committee to which a bill is committed shall facilitate public participation on the bill through an appropriate mechanism including;

- a) Inviting submissions of memoranda
- b) Holding public hearings
- c) Considering relevant stakeholders in the sector, and
- d) Consulting experts on technical subjects

3. The Sectoral Committees shall take into account the views and recommendations of the public and paragraph (3) in its report to the House.

Mr. Speaker Sir, it is on this basis that when this bill was introduced to the House the sponsor Hon. James Mukhongo, it was committed by the Hon. Speaker to the Committee on Finance and Economic Planning on 25th April, 2023 and reporting back to the House. The Clerk of the County Assembly of Bungoma placed and advert on the Daily Nation of 9th May, 2023 seeking views from the public on the bill pursuant to Article 196 (1) (b) of the Constitution of Kenya, 2010 as read together with Section 87 of the County Governments Act, 2012 and Standing Order 140 of the County Assembly of Bungoma Standing Orders.

The members of the public were asked to submit their written views in hard copy to the Office of the Clerk or soft copy to the County Assembly official email address.

Article 196 (1) (b) of the Constitution of Kenya, 2010 and Section 87 of the County Governments Act provides for public participation and involvement in the legislative and other businesses of the Assembly and its committees. In regard to this the committee sought and received views from the public by 17th May, 2023 as per the advert.

Public Views

By closure of business on 17th April, 2023 only the Bungoma Hoteliers Association had forwarded their views to the Office of the Clerk concerning the Bill under consideration.

CHAPTER FOUR

Consideration of the Bill

The committee retreated for report writing at Divine Homes Kisumu from Sunday 17th - 19th June, 2023 in finalization of the report. The Committee took into consideration views from the members of the public and civil organizations operating within the County. The proposed amendments on specific clauses together with the justifications are given in the table below. The long title was agreed to same to the short title and commencement date. On schedules the proposed amendments are that the schedules be amended by;

- a) Deleting second last column of the schedule
- b) Deleting the words appearing on the top of the last column (Proposed 2022/2023) to provide for the charges under the Act

CHAPTER FIVE

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

OBSERVATIONS

The Bill is long overdue as revenue administration and management is a key component of revenue enhancement measures.

The Revenue Administration and Management Act requires the County Executive Committee Member for Finance and Economic Planning to prepare regulations for better carrying into effect of the Act.

Other guidelines ought to follow to address the non-substantive issues not captured in the Bill.

COMMITTEE RECOMMENDATIONS

The Committee made the following recommendations;

That, the House passes the Bungoma County Revenue Administration and Management Amendment Bill, 2023; with the amendments thereto

2. That the clause schedule of the Bill be amended by

a) Deleting the second last column of the schedule.

b) Deleting the words appearing at the top of the last column.

3. The Committee propose that the bill moves to the second stage with the amendment thereto.

The adoption schedule is fully signed by the members and I therefore call upon my senior brother Hon. Chemion to second the motion.

(Applause)

Mr. Speaker: Hon. Francis Chemion, you have the honour of seconding the motion beforehand.

Hon. Francis Chemion: Thank you Hon. Speaker. I wish that the Honourable Member who read the motion is provided with water because she has done a wonderful job this afternoon; being my sister, she has done good work. I rise to second this motion and I will just highlight on two issues, that during the deliberations, we followed the constitution and the Standing Orders of this Honourable House. We engaged the public, gave them an opportunity to give their views and from the report; you have heard that the group called the Bungoma hoteliers gave their memo which we factored in our report and from the report, the public were fully involved.

If you look at the gazette notice of 7th of May, 2023, it was inviting all the stakeholders of this County to give their view so that the Committee under the able leadership of our Chair was able to involve the public and we have come up with that amendment. Those two to three clauses that have been highlighted there were the only ones that we felt needed those amendments and so we ask this Honourable House that we adopt this report so that we are able to manage our revenues in our County.

This Act will help us in ensuring that the revenues that we collect are well managed and utilised and that is why it is called the Bungoma County Revenue Administrative Act. It is an amendment of the Act that was there and that is what we have done.

I thank you Hon. Speaker and ask members that we pass this report.

(Applause)

Mr. Speaker: Honourable Members, I will keep on reminding members that a bill coming from the committee to the floor of the House is not for approval but for noting. That is why if you look at our Order Paper, they are very clear that this House notes the report by the sector committee on Finance and Economic Planning and at the end of this debate there is no vote which is taken because we are going to the Committee of the Whole House; where you are going to now incorporate your amendments. So when you adopt the way it is, it means you are locking out your amendments. Members, I will propose a motion for debate.

(Question proposed)

Thank you Honourable Members, I would wish to refer you to Standing Order No. 140(4) subject to the Standing Order No. 141- second reading.

The Chairperson of the sector committee to which a bill is committed or a member is designated for the purpose by the committee shall present the committee's report to the House within 20 calendar days of such committal and upon such presentation or if the committee report is not presented when it comes due, the bill shall be ordered to be read a second time. On such a day as the House Business Committee in consultation with the member or the committee in charge of the bill appoints.

You have done that ritual; you will now proceed to the next item at this juncture.

BILLS

THE BUNGOMA COUNTY PUBLIC MARKETS AMENDMENT BILL, 2023; SECOND READING

Mr. Speaker: Yes Hon. Ipara!

Hon. Johnstone Ipara: Thank you Hon. Speaker. Pursuant to Standing Order 141(1), I beg to move that the Bungoma County Public Markets Amendment Bill, 2023 now be read a second time. I now call Hon. James Mukhongo the Chair for Finance to second.

Mr. Speaker: Yes Hon. James Barasa!

Hon. James Mukhongo: Hon. Speaker, I second that the Bill be read for the second time.

Mr. Speaker: Honourable Members, before the House, the Chair of the Committee seeks that the Bill be read for the second time. Can you have the same read for the second time accordingly!

During such reading the long title is read. Proceed!

The Bill is read for the second time

A Bill of an Act of the County Assembly of Bungoma to amend the Bungoma County Public Markets Act, 2017; and for the connected purposes

Mr. Speaker: Honourable Members, the Bungoma County Public Markets Amendment Bill having been read for the second time, the same is now referred to the Committee of the Whole House. We rise up to go to the Committee of the Whole House accordingly.

(House collapses into the Committee of the Whole)

(The Speaker left the Chair)

COMMITTEE OF THE WHOLE HOUSE

[The Temporary Speaker (Hon. Benjamin Otsiula) in the Chair]

Temporary Chair: Honourable Members, welcome to the Committee of the Whole House. I hereby call upon our Clerk- at- the-Table to read the first clause on amendment.

Clause 2 read

Temporary Speaker: I now propose the question that clause 2 be part of the Bill

(Question proposed)

The Chairperson, Committee of Trade, please proceed and propose.

Hon. Johnston Ipara (Chairperson, Committee of Trade, Energy and Industrialization): Hon. Chairperson of the Whole House, I move that clause two of the Bill be amended by deleting sub clause (2) (a).

Temporary Speaker: Thank you Hon. Ipara.

Honourable Members, I now propose the question that clause 2 be amended as proposed

(Question of the amendment proposed)

Honourable Members, I now put the question that clause 2 be amended as proposed

(Clause 2 (a) agreed to)

The ayes have it!

I now propose the question that clause 2 as amended be part of the Bill

(Question proposed)

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

(Clause (2) (a) agreed to)

The ayes have it.

Honourable members, I now call upon the Clerk- at- the-Table to read the schedule.

Schedule read

Temporary Speaker: Honourable Members, I now propose that the schedule be part of the Bill

(Question proposed)

Chairperson Committee on Trade!

Hon. Johnston Ipara: Honourable Chairperson, I move that the Bill be amended by deleting column four in its entirety and in the column 5 the words proposed charged 2022/2023 be deleted so as to read; cashless payment.

Temporary Chair: Honourable Members, I now propose the question that schedule 2 be amended as proposed

(Question of the amendment proposed)

Honourable Members, I now put the question that schedule 2 be amended as proposed.

(Schedule 2 agreed to)

The ayes have it

Honourable members, I now propose the question that schedule 2 as amended be part of the Bill.

(Question proposed)

I now put the question that schedule 2 as amended be part of the Bill

(Schedule 2 agreed to)

The ayes have it.

Honourable members, I now call upon the Chair of the Committee on Trade that is Hon. Ipara to report the findings of the Committee of Whole House.

Hon. Johnston Ipara: Honourable Chairperson, I move that the committee do report to the House its consideration on the Bungoma County Public Markets Amendment Bill, 2023.

Temporary Speaker: The Chair, Committee on Trade, Hon. Ipara, you can now move a motion and subsequently call your seconder!

Hon. Johnston Ipara: Hon. Chairperson, pursuant to Standing Order No. 148(1), I move a motion that the House does agree with the Committee in the said report. I hereby request Hon. James Mukhongo to second.

Temporary Speaker: Hon. James Barasa Mukhongo!

Hon. James Mukhongo: Thank you Honourable Speaker. I stand to second the motion.

Temporary Speaker: Thank you Hon. James Barasa Mukhongo

[The Temporary Chairperson (Hon. Benjamin Otsiula) Left the Chair]

(The House resumed)

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

Mr. Speaker: Honourable Members, allow me invite the Chair of the Committee of the Whole House as per our Standing Order No. 147 to give us a report as per the amendment or as per the deliberations arising out of the committee of the whole House.

Chair of the Committee, proceed and give us a report!

PROGRESS REPORTED

Hon. Benjamin Otsiula: Thank you Honourable Speaker. I wish to report to this Honourable House the findings of the Committee of the Whole House.

Under Standing Order No. 147; this is the report of the Committee of the Whole House. The Committee of the Whole House considered Bungoma County Public Markets Amendment Bill, 2023 as follows;

1. Clause 2 was approved with amendment
2. Schedule was approved with amendment
3. Title was approved with amendment
4. Clause 1 was approved with amendment.

Mr. Speaker: Thank you Hon. Otsiula for the Committee of the Whole House. Honourable Members, I now invite the Chair of the relevant Committee, Hon. Ipara, it is you, and do you have your Standing Order with you? Look at 148; it is you to move a motion and call a seconder as per 148. Are you seeing that 148? Proceed!

Hon. Johnston Ipara: Hon. Speaker, pursuant to Standing Order No. 148(1), I move a motion that the House does agree with the Committee in the said report. I hereby request Hon. James Mukhongo the Chairperson, Finance to second.

Mr. Speaker: Hon. James Barasa, proceed!

Hon. James Barasa: Hon. Speaker, I rise to second the motion that the House does agree with the said motion.

Mr. Speaker: Thank you Honourable Members. A motion has been moved and seconded that the House does agree with the report arising from the Committee of the Whole House.

(Question put and agreed to)

The ayes have it. The House does agree with the report arising from the Committee of the Whole House accordingly.

(Applause)

Consequently, the said Bill will be read for the third time in the next sitting of the House.

ADJOURNMENT

Honourable Members, we now adjourn our sitting to resume tomorrow, the 20th of September, 2023 at 9.30 a.m.

(House adjourns)