

COUNTY GOVERNMENT OF BUNGOMA
COUNTY ASSEMBLY OF BUNGOMA
COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY, 25TH FEBRUARY, 2026

Afternoon Sitting

3rd County Assembly

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

WEDNESDAY, 25TH FEBRUARY, 2026

The House met at the County Assembly Chamber at 2:30 p.m.

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

PRAYER

PAPERS

**REPORT BY THE COMMITTEE ON PUBLIC ACCOUNTS AND INVESTMENTS, A
REPORT OF THE AUDITOR GENERAL ON THE KIMILILI MUNICIPALITY FOR
THE FINANCIAL YEAR ENDING 2024-2025**

Mr. Speaker: Hon. Nga'nga.

Hon. Everton Nga'nga: Thank you, Honourable Speaker. I rise to table a report by the Committee on Public Accounts and Investments, a report of the Auditor General on the Kimilili municipality for the financial year ending 2024-2025.

(Papers laid by Hon. Everton Nga'nga)

Mr. Speaker: Honorable members, the report by the Public Accounts Committee and Investment Committee on the Auditor General's report on the Kimilili municipality for the financial year 2025-2024-2025 is hereby tabled and formally it forms the property the House accordingly.

NOTICE OF MOTION

**REPORT BY THE COMMITTEE ON PUBLIC ACCOUNTS AND INVESTMENTS, A
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Mr. Speaker: Proceed Hon.Nga'nga.

Hon. Everton Nga'nga: Thank you, Honourable Speaker. I rise to give a notice of motion that this House adopts a report by the Public Accounts and Investments Committee, a report of the Auditor General on the Kimilili Municipality for the financial year ending 2024-2025.

Mr. Speaker: Honourable members, a notice has been issued by the Committee of Public Accounts and Investments. The same be shared on the Honorable Member's gadgets. It will formally form business in an Order Paper once scheduled by the HBC.

MOTION

INITIATION AND CONCLUSION OF INTERGOVERNMENTAL AGREEMENT WITH THE MINISTRY OF EDUCATION PURSUANT TO THE INTERGOVERNMENTAL RELATIONS ACT 2012

RESUMPTION OF DEBATE

Mr. Speaker: Hon. Ipara, you resume where you had stopped as per our Standing Orders. You had moved, invite your seconder. There were amendments, so can you be able to go through over the same and bring the seconder of the motion accordingly?

Hon.Johnstone Ipara: Thank you, Honourable Speaker. Allow me to begin from where there is a now therefore.

Mr. Speaker: You will go through the whole motion because it is now an amended motion.

Hon.Johnstone Ipara: Thank you, Honourable Speaker for that guidance. Pursuant to Standing Order No. 58 of the County Assembly Standing Orders, I beg to move the following motion, that aware that education is a fundamental right under Article 43(1)(f) of the Constitution of Kenya 2010, noting that education is a critical equalizer that unlocks opportunities for learners to rise above socioeconomic challenges and achieve their full potential.

Further noting that Bungoma County has over the years supported bright and needy students through scholarships and bursaries administered under the Bungoma County Education Support Scheme regulations of 2019. Aware that in 2025, the Controller of Budget issued guidance suspending the issuance of county-administered bursaries and scholarships unless such programs are implemented through lawful intergovernmental agreements with the Ministry of Education.

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Further aware that several County Governments acted promptly on this advisory and entered into intergovernmental agreements with the Ministry of Education, which were subsequently including; Murang'a, Gazette Notice No.12863 of 12th September, 2025; Mandera Gazette Notice No. 15220 of 24th October, 2025; Nairobi City Gazette Notice No. 152020 of 24th October, 2025; Mombasa Gazette Notice No.15229 of 24th October 2025; Kisumu Gazette Notice No. 15896 of 31st October, 2025; Marsabit Gazette Notice No. 15743 of 31st October, 2025; Laikipia Gazette Notice No.15963 of 7th November, 2025; Garissa Gazette Notice No. 15964 of 7th November, 2025; Tana river Gazette Notice No. 18156 of 11th December, 2025; Vihiga Gazette Notice No.18153 of 11th December, 2025 and Nakuru Gazette Notice No. 19133 of 24th December, 2025.

Concerned that Bungoma County has not allocated funds for bursaries and scholarships in the financial years 2024-2025 and 2025-2026, thereby leaving vulnerable learners without support and widening inequalities compared to other Counties, despite the Controller of Budget guidance which encouraged Counties to regularize such programs through lawful agreements with the Ministry of Education.

Further concerned that the absence of County bursary and scholarship program has contributed to increased school dropout rates, overreliance on National Government and Constituency Development Fund support and governance concerns rising from inaction despite the existence of a clear legal framework. Cognizant that Section 26 of the Inter-governmental Relations Act 2012 provides that a County Government may enter into an agreement with the National Government or another County Government for the performance or delivery of a function or a service.

Now, therefore, this House resolves to compel the Governor of Bungoma County to urgently initiate and conclude an intergovernmental agreement with the Ministry of Education, pursuant to the Intergovernmental Relations Act 2012, to enable the lawful administration of bursaries and scholarships within the county and direct the County Executive Committee Member for Finance and the County Treasury to provide for a dedicated allocation for bursaries and scholarships to be captured in the County Fiscal Strategy Paper and County Annual Estimates for the financial year 2026-2027.

I move and now call upon our hero and a former Chair of Education and a respected lawyer, Hon. Benjamin Otsiula, to second the motion.

Mr. Speaker: I have been able to take note of the one for Hon. Benjamin Otsiula. You know, you want us to put him in the hero's corner? Hon.Otsiula?

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Hon. Benjamin Otsiula: Honourable Speaker, you know when a cow is being fattened for slaughter, those are the kind of terminologies that are employed. My brother knows very well that I'm the chair of Budget and Appropriations Committee and in his own wisdom thought that I should second this one.

I want first of all to appreciate the Hon. Ipara for coming up with this very important motion, which actually touches the lives of our children in this County. I want first of all members to reflect especially members who were here in the year 2019, when they came up with the Bungoma County Education Support Scheme Regulations. There is a reason why they came up with those regulations. It means either there is a mischief or there is a need that gave rise to the framers of those regulations.

Those regulations have been existing and I think at some time we even advised during my tenure as the chair of the Education Committee that they review them and update them further, so that they seal all the loopholes that emanate as far as education support is concerned. This motion is very important because it touches on the core aspect of our future. The future of this County lies in the education of the millions of children of Bungoma County.

We cannot afford to gamble with the right to education. This is a constitutional right. My brother, Hon. Ipara has already touched on constitutional provisions maybe his eye missed Article 53 of the Constitution, which provides that education is a basic right. By gambling with this right, which is a constitutional right, we shall be making a grave mistake of which we might not get time to go back and address. As members in this House are aware, time is already running up.

This House, we have been told severally that we are not doing proper oversight. Our role is not being felt outside this House and one way of restoring the lost glory is a reinstatement of this bursary program. The Department has been hiding under the law or COB regulations, while several Counties have complied. It shows a burning desire that some Counties in the Republic of Kenya are taking the issue of education of their children with a lot of keenness and giving it the priority that it deserves. But Bungoma County, it has now become as if education is an afterthought. I don't see anything holding back the Governor to execute this intergovernmental agreement.

I believe it can take a very short period of time so that Bungoma can also be covered. Let us also be known for good reasons. We should not be listed among Counties that are not compliant. People are saying that when bursaries come that most of us shall be re-elected. My thinking is very different. Let us not prioritize bursaries for the sake of re-election but for the sake of

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securing the future of our needy and bright students who are failing to meet the standards and get quality education.

I know you can give these bursaries but what God decides on the 10th of August 2027, maybe three quarters of us might not be here but people will feel us. Those who have benefited from this program will remember that they benefited from a program that was fostered and pushed through by the joint efforts of members of this Honorable House.

As I wind up, there is an issue that you already touched upon in the morning. This is the Fiscal Strategy Paper. It is shocking that up to this moment some of our colleagues are yet to comprehend the budget-making process. How I wish that this kind of motion opens up our eyes so that once this agreement is executed and we are setting ceilings, the Committee on Education and Vocational Training must as they prepare, as they do their work plan because if the motion goes through it means as you do things and plan with the Department for the financial year 2026/2027, there are also other sacrifices that you are going to make.

Therefore, as we prepare to set the ceilings of the Fiscal Strategy Paper, members must be very keen so that we give effect to what this House passes. Otherwise, as we get forward, it is very, very imperative that recommendations of this House see the light of the day. It will be as powerful as for me to second this motion and then when we are setting ceilings in the Fiscal Strategy Paper we fail to do the needful.

Finally, these funds for bursaries as much as we want to ensure that documents preceding this motion capture the aspirations of this House, there must also be an elaborate plan. Once the agreement is executed, the budget comes into place and the funds are secured. We must set timelines as to when Bursaries will be disbursed within the County of Bungoma.

It is not a matter of passing the budget here. We have set aside 180 million Kenya shillings and then it becomes a song. When are we using this money? It is the COB. It is the Department. It is the Finance Department. It is all those songs. This is what we have been treated to before. So as much as we can do very nice paper, let the Department of Education, the Department of Finance, know that where we have reached, they are not going to encourage laxity. Let them have an elaborate plan.

Once the budget is approved by July or by September, let them give it priority so that requisitions come early enough. Our kids by the time they open school, the Bursary should be disbursed.

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Otherwise, doing paper and then they want to wait until the second or third quarter, they transfer the funds, it is not going to be business as usual.

I know Honorable Speaker, I am in a very tight position on this one but I want to rally my colleagues that we support this motion because it augers well and it is for our general well-being and to secure the future of our children as far as education is concerned. I support and second.

(Applause)

Mr. Speaker: Thank you, Hon. Ipara for moving the motion and Benjamin Otsiula for seconding the motion. Honorable members, as agreed, the motion had an amendment that was done by Hon. Ipara himself so that we are able to capture the specification of our amended motion. Honorable members, an amendment motion has been moved pursuant to the provision of Standing Order 58 and 59 that the County Executive Committee Member for Finance and the County Treasury to provide for a dedicated allocation for bursaries and scholarship captured in the County Fiscal Strategy Paper and the County Annual Estimates for FY 2025/2026.

(Question proposed)

Members, as you are debating, be aware we have a catch here. This is Financial Year 2025/2026, when you are appropriating money for the next budget, you must be very clear to be operational from which time. Don't pass the budget in July and demand that they start paying the fees retrospectively.

We had a situation where we had money and it was to pay for two financial years and I think Hon. Nganga you are aware of that. So be very clear on those issues at that time of appropriation because Grade 10 students are going to join next year, you will require money again, so be very clear on those issues that you are appropriating. If you want to put there some money for the on-going classes you do it then when it comes to January you must put there enough money for guidance purposes.

I will start with Hon. Ali Machani..

Hon. Ali Machani: Thank you, Honorable Speaker for allowing me to add my voice. It is only that we had a caveat when the communication from the Controller of Budget and National Government interferences but Honorable Speaker, you have been in this House, you are aware that we worked on this program and it was very successful to our people.

When we came up with this idea of allocating money to supplement what National Government was doing was to serve the common *mwananchi* down there.

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When we started this program, it benefitted so many learners mostly the day school learners. They are the ones who felt the taste of Education with this money and as an Honorable member who has served in this House; it is the bursary fund that assisted some of us. I wish Hon. Joseph Nyongesa was in this House that is the only money you can take to the common *mwananchi* and request them to at least assist you because at the end of the day that is the money that a member of the community can also feel that education is something that people are being supported.

When you make roads, majority of them will say we do not have cars to use these roads. When you talk about trade loans they will say I better go to the bank but when you talk about bursary fund and scholarship, it is a program that when we came up with and with the support of the legal team, it has created a very serious impact in our community. I remember that in this House when that program stopped as Honorable members in our villages, we never had time even to relax, you cannot go anywhere and talk even in the funeral.

As we are talking, I am supposed to be in a funeral somewhere but when you go to such families, you will find three or four children have been sent back home to look for school fees. So, this is overdue. I will not go deep and talk so many things. I understand it is the Honorable House to pronounce its peace of mind because we were only waiting for the MOU between the County Government and the National Government and when you go to the law that guides intergovernmental relations, it is very clear that two governments can supplement each other. You go to any comprehensive learning institution, minus starting with ECDE, you will not get Grade One so it is us to jumpstart the program of development and we can only jumpstart by giving what is required at the grassroots.

Today we have VTC's and secondary schools within our areas. They are being disadvantaged because Honorable members of National Assembly can only do what they know is serving their interests but for us within the villages, we can do the necessary. So I do not want to talk much because there are other speakers.

Honorable members, lets support this idea, it goes quickly to where it is required to be so that we can raise money because he has already guided us. As much as we are doing that the supplementary might also be coming. Let us jump start it quickly.

Mr. Speaker: Hon. Nganga,

Hon. Everton Nganga: Asante sana Mheshimiwa Spika kwa kunipa nafasi hii ili nichangie huu mswada ambao umeletwa na Mheshimiwa Ipara. Leo nitaongea Kiswahili kwa sababu ni lugha yetu.

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Kwanza, nataka kumsifu Mheshimiwa Ipara kwa uweledi wake kuandika mswada huu na kuuleta katika bunge letu tunalolipenda.

(Applause)

Na tena nakumwagia marashi yanayonukia kwa sababu ya maneno mazuri ambayo umeleta kwa hili Bunge letu. Kwanza, *bursary* na *scholarship* kwa hii Kaunti yetu ya Bungoma wakati ambapo tulikuwa tunapeana ilikuwa na umuhimu sana. *Bursary* itasaidia wanafunzi wengi ambao huwa hawakai darasani kupata nafasi ya kusoma ili wapite mtihani.

Bursary hii itasaidia mwanafunzi maskini. Kweli akikaa darasani tunaweza kumlinganisha na mwanafunzi wa tajiri. Mimi vile nilikuwa natembea kwa wadi yangu nyumbani wenyenji wa wadi yangu walikuwa waniuliza kwanini Kaunti zingine zinapeana *bursary* na nyinyi hampeani? Nilikuwa nawaambia sisi hatujaruhusiwa lakini walikuwa wananipatia mfano wa Kaunti ya Murang'a na Kaunti zingine za West Pokot na TransNzoia.

Maneno ya masomo kweli ni kitu cha muhimu sana kwa ujenzi wa nchi na dunia mzima. Wanafunzi wakisoma tunapunguza maneno ya wizi na ujambazi katika inchi, kaunti na wadi zetu.

Maneno ya kusema tumeweka pesa kwa bajeti, bajeti imepitishwa lakini wakati mwingine huwa tunakuwa na lawama, tunazungushwa. Msimamizi wa Bajeti amekataa. Waheshimiwa sisi tuelewe huoni mtindo wa serikali na hizo ni porojo ambazo huwa zina leta watu wale ambao walisoma tamthilia ya mashetani kitabu kilicho andikwa na Ali Hussein alisema mpanda ngazi na mshuka ngazi hawashikani mikono wale ambaowalisoma wengine wakasoma riwaya ya Kisima cha Giningi.

Tuelewe serikali vile iko. Kweli sisi bila kudanganya mimi kweli naomba kupigiwa kura mwaka wa ishirini na saba na kweli mimi ni kama yule ambaye anataka kupanda ngazi na yule anayeshuka ngazi atakuja na maporojo zake zingine zile za kupeleka huku pesa iko, haiko, nani amekataa. Hizo zitakuwa tu naelewa .

Iyo misemo yote ambayo inasemwa kwamba saa hizi wakati ndege karibu itaanguka na inatua na tujipange, hiyo ni vitisho waheshimiwa na tuelewe hiyo iko. Waliosoma hicho kitabu kweli kwa yule anayeshuka ngazi anaushetani mwingi sana.

(Applause)

Chunga sana huo ushetani wake huenda mwishowe akakudhuru wewe pia. Wewe unataka upande na yeye anataka ashuke na mnasikia sana haya maneno yanasemwa katika mikutano mingi kwa hii Kaunti yetu ya Bungoma. Hiyo ndio fikra yao. Hiyo fikra yao yaushetani

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nawaomba waheshimiwa itaenda chini mpaka kwa wale wapiga kura pia wakuwe naushetani kwa sisi. Sisi tujipange sana waheshimiwa.

(Applause)

Tujipange sana tupitisha huu mswada ambao umeletwa. Naomba tupitisha kwamba wapiga kura wasiwe na ushetani kwetu. Na kitu kingine ninachowaomba katika riwaya ya Kisima cha Giningi tulikuwa na mtu aliyetwa Ali Makame wa Makame si ni hivyo? Yule aliyeuwa msichana katika kisima, anajifanya yeye anasaidia kwa maneno ya upelelezi lakini mwishweni yule Abdi Musa mwenye alikuwa anafanya upelelezi akampata yeye ndiye alikuwa amefanyanini? Sasa hii hadithi kwamba sisi tumeweka pesa kwa miradi ya maendeleo na kwamba wengine wameenda kortini hizo ni porojo. Ni wenyewe ndio wameenda kortini na kutuambia sisi kwamba kuna watu wengine kutoka nje. Ni vitisho sana au shetani. Mwanipata vizuri waheshimiwa?

Aah, Kiswahili leo nimekinyanya. Asante sana.

(Applause)

Langu ni, namalizia hapo.

Mr. Speaker: Hon. Isaiah Sudi Busolo!

Hon. Isaiah Sudi: Mheshimiwa Spika, wenzangu...my colleagues are saying that. Mheshimiwa pia naeza jaribu Kiswahili.

Mr. Speaker: Hon. Sudi, you commence your speech in English, finish in English.

(Laughter)

Hon. Jeremiah, you are out of order, your sign language is not basically known to anybody.

Proceed Hon. Sudi

Hon. Isaiah Sudi: Honorable Speaker, just to add on what my colleagues have said. First, I want to thank the mover of the motion Hon. Ipara for thinking outside the box. Personally, I was re-elected because of the bursary that we had in 2022. I went to an extent of giving 1,000 per student in my Ward and it had an impact. People appreciated because all of us voted for you no matter how little it is, so, I think by doing away with the bursary, it has really affected our people especially those who take their children to day schools around our place.

Every time you move around, you meet with the students going home and the fees is only 9,000 or 8,000. Some parents are not able to raise that 9,000. So for us members to be re-elected, as

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Hon. Nganga had put it, you know when you run in a competition with a pace setter who is not... he doesn't lose anything because he's not going for any position. He's just a pace setter. He can run and when he feels exhausted, he simply stops. He exits and continues doing other things and even now he will start associating with the one who is ahead now.

So let us be very careful Honorable Members and pass this motion. I was imagining that even if it means reducing our Ward money some of us are ready to do that, so that we provide some money for the bursary because like the current Form 3 and Form 4 are the product of the airplane that is in the turbulence and it is almost landing and have really suffered. I thought maybe those who have left because they were recruited by another regime but the ones that we have now in high school are our own. We even reduced numbers to 10, 12, and still things didn't happen. I don't know.

So, it is overdue. I want to request members that let's have even 10 million for bursary

(Applause)

Let us not just talk because of the bursary, let's have 10 million. With 10 million you can even plan for your own scholarship. You'll organize all your day schools and get some money. You can even give every child in a day school. There is an Honorable Member here in Bungoma who is so famous just because of the bursary. He prepares parents early enough, so that they are sure that their child will get 3,000 or 5,000; you only do a top up.

He is very popular just because of the bursary, so members, if you really want to be here again like I want to be here for the third term, I need bursary and maybe those who feel this place is not fit for them, there are those who do not want bursary but for me this is now the place I fit and I need a bursary. So members we have helped our Governor so much. Bungoma is one county where the Governor has never been pushed left or right, the way I see in other Counties. We have complied with all his requests. I don't see why he should have been the first Governor to sign the Inter-Governmental agreement with the Ministry of Education, because we have given him very humble time. I want to say this, that now that I saw the advert for the CEO, public service board, we shall not touch it until this has been signed. That name will hang in the air until... members.

And even the second supplementary, I'm told it might come. We shall not touch it until we have concluded on this one. So members, those, I know I will be reported, yes, but even if I'm reported, I represent the people of South Bukusu.

I have been in a funeral speaker in *Harambee* where one of my constituents died in Nairobi, but I told the gathering there that we have a motion on bursary. They told me to come, kindly go, because people really need a parcel.

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Our people are, because now if you look at the sugarcane farmers, yesterday I heard on the radio, it has been there even in the morning, now the mature canes are more than what the factories can grind. So they have nowhere to take the canes. People are crying harvesting, and even if you manage to get a permit for harvesting, even now, after harvesting, the sugarcane will lie there for a whole week, it loses weight. By the time they are taken to the factory, you have no cane. So the only remedy for our people, and the majority of them are the ones who vote for us. Let us give them bursary. Let them also enjoy their tax, because they are taxpayers. Let them also enjoy a speaker.

We know one time we shall leave this place, and those who will come here, I am very sure as we move forward; there is no Form 4 leaver who will be here. You must after Form 4, do something before you are elected to be an MCA, because things are changing. So we must also give education so that we give equal opportunity to all families, because representation here is changing, I am very sure.

I don't think we shall have people, as we move ahead, you have sons and daughters with degrees, then you decide that you want to be an MCA. Let's allow them also, let's educate them and give them an opportunity to come and serve us, so Honorable Speaker, I support and I rest my case.

Mr. Speaker: Yes, thank you. Hon. Eric Wekesa.

Hon. Erick Wekesa: Thank you, Honourable Speaker. Let me first of all start by thanking the Honourable Member, Hon. Johnston Okasida, for this noble initiative. It attracts both support and blessings, in the words of Malcolm X, he says education is a passport for the future, and tomorrow is only available for those who prepare for it. It was very unfortunate, that other places people are supporting their children to have access to better accessible education while we had a hindrance on our side.

I was elected recently, miraculously, and when I came here, I had a lot of promises. One of the promises I was making as I was trying to get a chance to serve was I will bring bursary without knowing anything about it, but God is good. He has done a miracle. I don't want to run away with this idea, I'm very quiet, I won't go to radio. I've shown the Honourable Member, Mr. Speaker, I have shown the Honorable Member who initiated this process that I was somewhere, just like Hon. Isaiah Sudi has said, and I told people I've just attended a funeral, and I told them we are going to the Assembly to do something about the bursary, and everybody stood up to clap.

I want to request our ICT team and communication team of the Assembly to effectively communicate and re-communicate this idea to show that the Assembly is doing something that is

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pro-Mwanainchi. To them, these bursaries mean a lot. It might be two thousand, I come from a constituency where we serve bursaries even to neighbors. We have an MP who gives bursaries to Mt. Elgon and Kanduyi sometimes in very needy situations, and I've seen how it affects his ratings. Some of us could have looked very unpopular, not because we are lazy, no, but because of the circumstances that the Auditor General, the Controller of Budget had imposed on this County. I want to conclude by quoting an icon in Africa, Nelson Mandela, who said that education is the most powerful weapon which you can use to change the world. We can only change this County and the future of this county through education, and hence I support this motion. I support this move, and I rest my case there, Honorable Speaker.

Mr. Speaker: Thank you, Hon. Eric Wekesa. I will have Hon. Edwin Opwora, and then after Hon. Opwora, I will have Hon. Francis Chemion.

Hon. Edwin Opwora: Thank you, Mr. Speaker, I also want to...

Mr. Speaker: I told you, Hon. Mulongo if you keep on pressing, pressing, pressing, you will be the last one to speak. Proceed, Hon. Opwora

Hon. Edwin Opwora: You understand Hon. Mulongo because he's also part of the education of *Kumbaru*, and we are talking about

Mr. Speaker: Hon. Edwin Opwora, can you withdraw that one of *Kumbaru* he is not part of us here. I want him to withdraw.

Hon. Edwin Opwora: I withdraw. I think I meant adult education, but I withdraw.

Mr. Speaker: Yes, but by the way, that time when he came to Kamusinga, the years when he came to Kamusinga, he had contested then lost three times.

Hon. Edwin Opwora: And I appreciate, Honourable Speaker, by virtue that he contributes a lot on matters education, and he is a continuing student. That is why I meant adult education, and you pardon him when he presses every time, it is part of learning, Honourable Speaker.

Honorable Speaker, I want to also laud Hon. Johnston Okasida for bringing this noble motion. It is a time, actually, this House stands to support education in this County. Under Article 43 of the Constitution of Kenya, education is actually a right to every child in this Country, and I believe if other counties are already doing it, why should Bungoma be left behind? I want to request this House that this motion touches every part of this County.

I believe we have very many bright students across the County where parents come from very humble backgrounds. They are unable to complete their school fees in high school and tertiary, and this has contributed a lot to the poverty in this Country. So, Honorable Speaker, I believe when we fund bursaries, as a County, we shall not be wasting money because we are building the future of Bungoma, and every student or every pupil who will be supported by this County, we shall be reducing poverty. We shall be building a doctor; we shall be building a future teacher.

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So therefore, this is an opportunity for these Honourable Members to support this motion fully, and by virtue that the seconder of this motion is also the chair of budget, I know during the future appropriations, key considerations will be done.

As Honourable Members have said, I know a lot has been said about the current government, but we, the young generation, should stand firm and support education in this County, and the only way to support this is by passing this motion and ensuring that proper allocation is done so that whatever amount, Honourable Speaker, whatever amount that the national government will be doing, we shall supplement it also. Let us not go into history that we failed to support with the poor, we failed to support education. I support the motion

Mr. Speaker: Hon. Francis Chemion Masai.

Hon. Francis Chemion: I will be very brief, Chair. I feel that we are taking too much time to pass a very important motion. If it were me, we would have passed it ten minutes ago, because this is a very, very critical motion that I wish we passed it very early so that we transmit the results of this motion to the Executive for implementation. Let us not even belabor, let us just pass this motion now.

Mr. Speaker: I remember some time back, I denied one member to speak here, when we adjourned. I found him crying out that he never spoke, so let me allow this old man so that he does not collapse and die.

Hon Jeremiah Kuloba: Asante Bwana Spika, kwa kunipa furusa hii kuchangia katika mswada huu wa elimu. Bwana Spika kwanza mimi nataka kumushukuru mwandalisi wa mswada huu Mheshimiwa Johnston Okasida, kwa kufikiria na kuwaza na kuleta mswada huu. Lakini cha mno ni kwamba tuna malimbikizi ya fedha ya bajeti ambayo inakuja ya pili. Mwandalisi wa mswada huu, aingie katika Kamati ya Elimu ahakikishe kuwa tunapewa hata kabla mwaka huu kuisha tupewe fedha hata kama ni milioni moja wanafunzi watumie.

Tunataka uajibikaji katika kila wizara. Bwana Spika, kuna wizara zingine, na viongozi wanao simamia idara hizo hawajawajibika, katika kazi zao. Tunaweza kusema mkuu wa kaunti ambaye ni Gavana hajaenda kuweka sahihi na serikali kuu kumbe ni wale wanaosimamia idara ndio wanamuelekeza vibaya asiweze kuweka hiyo sahihi. Mswada huu Bwana Spika, ulicheleweshwa. Huu mswada tungegundua mwaka jana, tungekuwa tumepitisha zamani kwa hivyo ni bora kuchelewa kuliko kukosa kabisa. Tutakuwa tumepunguza usumbufu huu kwa wanafunzi ambao wanafukuzwa kila siku wakipelekwa nyumbani, na pia tutakuwa tumepunguza mzigo kwa wazazi

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Mr. Speaker: Hon. Jeremiah Kuloba, they are always send home not us to go and bring fees balances, language you have used means they are chased by somebody with the whip or what...

Hon. Jeremiah Kuloba: Bwana Spika ni sababu ya fedha, kwa sababu ya uchochole ya wazazi inafanya wanafukuzwa kila siku. Mimi nafikiri itakuwa kama ruzuku kupunguza mzigo kwa hawa wazazi. Na waheshimiwa pia wana mzigo ingawa hawataki kukubali kuwa kila asubuhi mzazi ambaye ana bakizo ya shilingi elfu mbili ama elfu tatu anaingia kwa mlango ya mheshimiwa kutaka apewe, hizi fedha zingekuwa zipo, sisi tungekuwa tunakaa hata kwenye nyumba zetu, lakini kwa sababu fedha hazipo, inatubidii tutoke kwenye nyumba zetu asubuhi ili tusianzwe kuulizwa hizi fedha. Kwa hivo itafanya sisi kupata nafasi ya kukaa kwenye nyumba.

Bwana Spika tunapoulizia juu ya *busary*, mawazo ya kila mweshimiwa hapa yamelenga kuwa masomo ya sekondari peke yake, Bwana Spika hawa bodaboda unao waona hapa inje pia wanataka wapelekwe shuleni. Hizi fedha zikipatikana tutawapeleka kwenye vyuo via anuai waende kule wajisomee na watoke huko kama ni madereva na hio itakuwa ni afueni kwetu. Kwa hiyo tusizungumuzie tu juu ya sekondari peke yake, kwa mfano, nina shule hapa kwangu, inalipisha shilingi elfu kumi. Bwana Spika, wazazi wale ambao nilikuwa nimewapa shilingi elfu tano, wengine elfu tatu haukuwa mzigo kwao tena kwa sababu zilikuwa zimepunguzwa, kwa hivyo ikibakia kama shilingi elfu tatu ama elfu nne mzigo huo umepunguzwa.

Tukichukuwa hizi fedha badala sisi kuchukuwa malimbikizi ya hizi fedha tunaziweka kwenye miradi ambayo haitekelezwi na serikali iliyo mamlakani mpaka sahii miradi haijatekelezwa. Tungekuwa na hekima, tungelichukuwa hizi fedha mingi ambazo tumeweka kwenye mabarabara..

Mr. Speaker: Hon. Jeremiah, you mean you don't have wisdom in this House?

Hon. Jeremiah Kuloba: Wewe ndio hukunielewa Bwana Spika.

Mr. Speaker: Umesema tungekuwa na hekima, kumaanisha hatuna hekima sisi.

Hon. Jeremiah Kuloba: Kwa sababu hatujategeleza, kwa hiyo kutakuwa na jambo

Mr. Spika: Are you saying the whole House we don't have wisdom?

Mr. Speaker: Tunayo lakini hatujatekeleza

Mr. Speaker: You have to withdraw it.

Hon. Jeremiah Kuloba: Wacha nilitoe Spika, kulingana na vile umetaka, asante Bwana Spika.

Mr. Speaker: Yes, Hon. Aggrey Mulongo.

Hon. Aggrey Mulongo: Thank you Mr. Speaker, for giving me this chance to contribute towards these noble motion. Mr. Speaker, I take this opportunity to thank *Mheshimiwa Johnston Okasida* for coming up with this motion. Mr. Speaker, education is key. We are here because of

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education. I have just heard an international volleyballer in our own House, this Honourable House Mr. Speaker. Yesterday when she was responding to the statement, Mr. Speaker, if she never went to school, she only knew about volleyball, she could not have contributed anything. She couldn't even have read any response but since *Mheshimiwa* Dorcas Ndasaba went to school, Lugulu girls, she went and played football allover, Japan, England...

Mr. Speaker: You know Hon. Aggrey Mulongo, sometimes I wonder whether you comprehend what you say, last time I checked on Hon. Ndasaba playing volleyball, now it is football.

Hon. Aggrey Mulongo: Sorry, volleyball Mr. Speaker

Mr. Speaker: Are these signs of ageing or what?

Hon. Aggrey Mulongo: Sort of, we need to be very keen. I am very happy today this Honourable House, contributing what I have been doing behind here, now we have woken up pressing this government. How can Mandera, West Pokot enter into Inter-governmental agreements, those counties were behind. They took this opportunity of intergovernmental agreement, they are now ahead of us. It's unfortunate for our government, for now we need to come up and pass this motion, so that reaching May if there is nothing to do with implementation, Mr. Chair, lets at least 2017

Mr. Speaker: Hon. Aggrey Mulongo, I fail to appreciate what you are saying. If you listened properly to Hon. Benjamin Otsiula contribution, why talking about May. They are bringing the County Fiscal Strategic Paper, you ought to factor it in. It is coming up this week by 28th February, 2026, so the way you are saying I am wondering if you were with us or you are somewhere else.

Hon. Aggrey Mulongo: I am here, maybe I was not keen when he was contributing Chair, but otherwise, if it is not going to be implemented that is what am saying we shall match up to where Governor's residence or Office is and at least see something happening.

Mr. Speaker: Hon. Johnston Okasida, reply to the motion but ignore what he has said, and I wish people could be here to hear what you are saying. Hon. Aggrey, because I heard that you only speak in funerals, I heard that in funerals in Misikhu Ward of Hon. Millia Masungu, I heard they were saying that you only speak in funerals but here you are quiet, kindly proceed Hon. Johnston Okasida

Hon. Johnstone Okasida: Thank you, Honourable Speaker. Let me thank all the Honourable Members who have remained in the room to support this very important motion that serves for the interest of the people of Bungoma. Let me inform Hon. Mulongo that this motion is timely. It has come at the right time when we are going to receive very important papers in regard to the budget.

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Listening to the Honourable Members, all of them are in support and I want to summarize my submission by saying the following. What they have concluded is that if we today approve this and the county implements bursary, it will promote the right of every child to education and this will support Article 43 of the Constitution and 58 which says every person has a right to education. If we approve this one and this is implemented by the County government, it will support vulnerable children and children who are needy, particularly who come from families whose parents have low income, who are unemployed, children who are orphans, children who come from the families with disability and children who have lost their breadwinners.

If this is adopted by this House, it will promote equity and equal opportunities between the rich and the poor and you know always how the poor suffer because of lack of money to go to school. What it will also do, it will enhance human capital development because actually the future requires those people who have education and are highly skilled.

Lastly, investing this bursary in education is investing in the future professionals and it is a social tool for transformation. We should not run away from what His Excellency the President normally speaks about, that this is a journey to Singapore and I spent a lot of time yesterday to find out why Singapore succeeded. The first principle that Singapore applied, they applied the principle that education and skills is a must for every citizen of Singapore and that is what contributed for their success because that who is not able to read, who is not able to write, who does not have any skill, as put by Honourable Members who contributed, that this money should not only be taken to secondary schools but it should also be taken to those who need this money, particularly *the boda boda* and other areas in our vocational training centers. I plead with the Honourable Members, let's approve this one and it will elevate the lives of our people and I take this opportunity to thank all of them.

(Applause)

Mr. Speaker: Thank you Hon. Ipara for the reply to the motion. Honourable Members, allow me now proceed and put a question to the said motion that you do have a right to make a decision on the same.

Honourable Members, a motion has been moved and seconded pursuant to the provisions of Standing Order No. 58 and 59 of the County Assembly Standing Orders that the County Executive Committee Member for Finance and the County Treasury provide a dedicated allocation for Bursaries and Scholarships to be captured in the County Fiscal Strategy Paper and the County Annual Estimates for Financial Year 2026 /2027.

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(Question put and agreed to)

(Applause)

Now, today is on 25th, and from our computation is that the County Fiscal Strategy Paper must be in this Assembly on or before 28th of this month. So I will ask that this document be extracted today right away and be sent to the Executive. As we are preparing our ceilings, the Committee on Education, Members who are here, make sure you look at that specification of this component so that there is no mischief of saying it was never captured in the County Fiscal Strategy Paper at the time of preparation. If you miss it out on that one, you can't sneak it at the time of the Budget making because it could have been knocked out in ceilings.

BILLS

THE BUNGOMA COUNTY FOOD SAFETY COORDINATION BILL 2025, SECOND READING

Mr. Speaker: Yes, the concerned Honourable member, Hon. Wafula Waiti. Yes, sorry, let me have...

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you, Honourable Speaker. Pursuant to Standing Order No. 141(1) of this County Assembly, I beg to move that the Bungoma County Food Safety Coordination Bill 2025 be now read a second time.

The Bungoma Safety Coordination Bill 2025 before this Honourable House today seeks to provide for the coordination of institutions in the control of food, making provisions for the establishment of the Food Safety Coordinating Committee, establishment of the County Food Safety Laboratory and for connected purposes. The bill consists of 23 clauses divided into six parts and three schedules. The bill is subdivided as follows;

Part 1, there is clause 1 to 5, that is preliminary.

Part 2, I'm being interrupted here, if you could protect me.

Mr. Speaker: Proceed, I'll be keen to see if this is interrupting you.

Hon. Wafula Waiti: Thank you Honourable Speaker for that protection.

Part 2 talks about clause 6 to 10 which establishes the establishment of the Food Safety Coordinating Committee.

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Part 3, that is clause 11, stands for food business operators.

Part 4 that is clause 12 to 15 establishment of the County Food Safety Laboratory.

Part 5 that is clause 16 to 19 financial provisions.

Part 6, its clause 20 to 23 that talks about miscellaneous provisions.

The bill also provides for the coordination of institutions in the control of food safety and proposes the establishment of a Food Safety Coordinating Committee with functions that include coordinating the regulation of the cross-port of trade, production, manufacturing, labeling, storage, promotion, transportation, advertisement, packaging, sale, distribution and disposal of articles and materials.

Coordinating food safety activities and responses among all stakeholders and enforcement agencies. Promoting a unified scientific approach to food control, coordinating consumer protection in relation to food safety and strengthening food inspection across all stages of the food chain to enhance compliance among other roles as outlined in the bill.

Additionally the bill provides for the establishment of a County Food Safety Laboratory to verify the safety, quality and efficacy of food articles that are produced, manufactured, or imported within the county.

Following public participation as required by the Constitution and the County Assembly Standing Orders, the committee incorporated several stakeholder proposals, which include;

1. To provide for the timelines in consideration of appeals.
2. To reduce membership of the Food Safety Coordinating Committee to a manageable number and the manageable number is 15.Membership for the committee.
3. Having a slot for farmers representing youths and women.

This bill is anchored on Article 185 of the Constitution and the 4th schedule which devolves the function of food safety to County governments through coordination by multiple county departments. Under the Constitution of Kenya 2010 and the County Governments Act of Food Safety is a devolved function managed through county-specific legislations, policy and enforcement.

With this remarks, I move that the Bungoma County Food Safety Coordination Bill 2025 now be read a second time and with this allow me to call upon Hon. Allan Nyongesa, who is a member

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of the Committee on Agriculture, Livestock, Fisheries, Education and Cooperative Development to second the proposal.

Mr. Speaker: Yes, Hon. Allan, you have the honor of seconding the committee's motion.

Hon. Allan Nyongesa: Thank you Speaker and my Chair. I'm on my feet to second that the Bungoma County Food Safety Coordination Bill 2025 be read for the second time.

Mr. Speaker: Honourable Members, pursuant to the provisions of Standing Order No. 141, a motion has been moved and has been seconded that the Bungoma County Food Safety Coordination Bill 2025 be read for the second time.

(Question put and agreed to)

We can now have the long title of the said bill be read for the second time before we collapse to go to the Committee of the Whole House.

The long title.

Mr. Speaker: Honourable Members, pursuant to the provisions of Standing Order No. 142, the Bungoma County Food Safety Coordination Bill 2025, having been read for the second time, it stands committed to a Committee of the Whole House.

Accordingly, I request the Chair to allow the Chair of the Committee of the Whole House to come and take over the proceedings. We will be upstanding to call the Committee of the Whole House.

(Members be upstanding)

Members, let us resume our seats.

(Members resume their seats)

*(House collapses into the Committee of the Whole House chaired by Temporary Chairperson,
Hon. Benjamin Otsiula)*

Temporary Chairperson: Members, I believe all of us have now taken our seats. Honourable Members, welcome to the Committee of the whole House for consideration of the Bungoma

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County Food Safety Coordination Bill 2025. I now call upon the Clerks-At-the-Table to read out the parts of the bill in the sequence specified in Standing Order No.144.

Hon. Aggrey Mulongo! I said the Bungoma County Food Safety Coordination Bill 2025. Avoid the Bungoma County Agricultural Institutions Development Bill avoid that one.

Members, can we proceed? Okay, well.

Clause 3, 4, 5, 6.

Temporary Chairperson: Honourable Members, I now put the question.

(Question proposed that Clauses 3, 4, 5 and 6 be part of the Bill)

(Question put and agreed to)

Clause 7.

Temporary Chairperson: Chair Agriculture Hon. Waiti

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you, Honourable Chair. That Clause 7.2 of the bill be amended by deleting sub-clause 7.2(d) (e) and (f) entirely and be replaced with the following new clauses and renumber onwards.

So as to read,

A, the chief officer in charge of agriculture.

B, the chief officer in charge of livestock.

C, the chief officer in charge of public health.

D, the chief officer in charge of trade.

E, the chief officer in charge of environment.

F, the chief officer in charge of water.

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G, the chief officer in charge of public administration.

H, one representative from food process organization.

I, one representative from consumer organization, one representative from agro tellers.

K, one representative from national government administration.

L, one person representing farmers.

M, three farmers representing women, youth, and persons with disability. So as to have membership reduced to 15 as proposed by the public.

Temporary Chairperson: Thank you, Hon. Waiti. Honourable Members, I now propose the question;

(Question of the amendment proposed)

(Question put and agreed to)

(Question that Clause 7 as amended be part of the Bill proposed)

(Question put and agreed to)

Clause 8.

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you, Honourable Chair. I stand to move that clause 8 of the bill be amended as follows. In sub clause 8.1, delete the phrase 4(2) (e) and (f) appearing immediately after the word section and substitute with the phrase 7.2(h) (i) (j) and (k). So as to read, the members prescribed in section 7.2 (h) (i) (j) and (k) must be technical staff in the respective institution, organization, or competent authority. So as to correct wrong citation.

In sub clause 8.2, delete the phrase 4(2) (g) (h) and (i) appearing immediately after the word section and substitute with the phrase 7.2(l) and (m). So as to read, the members prescribed in section 7.2(l) and (m) shall meet the following criteria. So as to correct wrong citation.

In sub clause 8(5) insert the words competent authorities immediately after the word department.

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So as to read, the committee may, for purposes of this act, co-opt another person from a government department, competent authorities, the private sector, or non-government organization as a member. So as to incorporate competent authorities as entities that may co-opt in the committee formed in clause 7. Thank you, Chair.

Temporary Chairperson: Thank you, Hon. Waiti, Honourable Members, I now propose the question;

(Question of the amendment proposed)

(Question put and agreed to)

(Question that Clause 8 as amended be part of the Bill proposed)

(Question put and agreed to)

Next.

Clause 9.

Temporary Chairperson: Now I propose the question that the schedule that is clause 9 be part of the bill. Hon. Waiti....

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you Chair. I stand to move that Clause 9 of the Bill be amended as follows;

In Sub clause 9(h), delete the word ‘monitoring and evaluation’ appearing before the word food and therefore substituting with the word ‘monitor and evaluate ‘so as to read ’monitor and evaluate food safety activities in the County so as to correct grammatical error

In sub clause 9 (i) insert the word members immediately after the word committee so as to read’ Develop Annual report on Food Safety Status in the County and submit to the County executive committee Member so as to read Annual Reports should be submitted to the County Executive Committee Member for onward submission to the County Executive committee.

Chair: Thank you Chair Agriculture Hon. Waiti. Honorable members, I now propose the question that Clause 9 be amended as proposed.

(Question of the amendment proposed)

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(Question put and agreed to)

(Question that Clause 9 as amended be part of the Bill put and agreed to)

The ayes have it!

Clause 10

Temporary Chairperson: Members, allow me to propose a question;

(Question that clause 10 be part of the Bill proposed)

(Question put and agreed to)

The ayes have it

Clause 11

Temporary Chairperson: Honorable Members, I now propose the question that Clause 11 be part of the Bill. On. Waiti!

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you Chair. I rise to propose that sub clause 11 (k) of the Bill be amended by deleting the word retained appearing immediately after the words recall and replace with the word retain so as to read 'Appropriately keep records of food production processing storage distribution, food quality, laboratory test results, cleaning and sanitation, test control and product recall and retaining records for a period of two years or the shelf life of the product whichever is known so as to correct typographical error.

That subclause 11(s) of the Bill be amended by deleting the word light appearing immediately before the word well ventilated and replace with the word lit so as to read' keep the premises clean, adequately lit, well ventilated with sufficient free space for movement so as to correct grammatical error.

Temporary Chairperson: Thank you Hon. Waiti

(Question of the amendment proposed)

(Question put and agreed to)

(Question that Clause 11 as amended be part of the Bill put and agreed to)

Clauses 12,13,14,15

Temporary Chairperson: I will proceed and propose the question;

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(Question that Clause 12, 13, 14 and 15 be part of the Bill proposed)

(Question put agreed to)

Clause 16

Chair: Well Honorable Members, I now propose the question that Clause (16) be part of the Bill. Hon. Waiti!

Hon. Wafula Waiti: Honorable Chair, I rise to propose that sub clause 16 (d) of the Bill be amended by inserting the word 'the' immediately after the word 'committee' so as to read; 'such monies as may be payable to the committee, to correct the grammatical error,

Temporary Chairperson: Thank you Hon. Waiti

(Question of the amendment proposed)

(Question put and agreed to)

(Question that Clause 16 as amended be part of the Bill put and agreed to)

Clause 17

(Question that Clause 17 be part of the Bill proposed)

(Clause 17 agreed to)

The ayes have it!

Clause 18

Temporary Chairperson: Well, Honorable members, I now propose the question that Clause 18 be part of the Bill. Hon. Waiti!

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you Chair. Allow me propose that Clause 18 of the Bill be amended by merging sub clause 18(a) with Clause 18 introductory Phrase and renumber Clause 18 (b) as 18(a) on wards so as to read 'The committee shall within a period of three months after the end of each Financial Year submit to the County Executive Committee Member an Annual report in respect of that year containing

- a) A statement of the expenditure by the committee during that year
- b) The committees' performance indicators and any other related information

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- c) A report on the operations of the committee during that year
- d) Such any other information as the County Executive Committee Member may request so as to correct sentence syntax.

Temporary Chairperson: Thank you Hon. Waiti.

(Question of the amendment proposed)

(Question put and agreed to)

(Question that Clause 18 as amended be part of the Bill put and agreed to)

Clause 19

(Question that Clause 19 be part of the Bill proposed)

(Question put and agreed to)

Clause 20.

Chair: Well, Honorable members, I now propose the question that Clause 20 be part of the Bill. Hon. Waiti!

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you Chair. Allow me propose that sub clause 20 of the Bill be amended as follows; That part 9 on miscellaneous provisions be amended by deleting the phrase 9 as indicated and replacing it with the phrase 6 to correct wrong numbering. In sub clause 20(1) delete the phrase 3(1) appearing immediately after the word section and replace it with the phrase 6(1) so as to read 'a person aggrieved by a decision made by the committee established under section 6(1) of this Act shall appeal to the County Executive Committee member so as to correct wrong citation. Inserting a new sub clause 20 (v) and renumber sub clause 20(v) as 20(vi) so as to read (v) The appeals committee shall hear and determine the appeals within 30 days and (vi),a person aggrieved by a decision made by the appeals committee may within 30 days of the decision appeal to the court so as to provide for the timelines in consideration of the Bills . Thank you Chair.

Temporary Chairperson: Thank you Hon. Waiti!

(Question of the amendment proposed)

(Question put and agreed to)

(Question that Clause 20 as amended be part of the Bill put and agreed to)

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Clause 21 and 22

(Question that Clause 21 and 22 be part of the Bill proposed!)

(Question put and agreed to)

The ayes have it!

Clause 23

Temporary Chairperson: Well, Honorable Members, I now propose the question that Clause 23 be part of the Bill. Hon. Waiti.

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you Chair, I beg to propose that Clause 23 of the Bill be amended by deleting the word on recommendation of the committee and in consultation with other relevant public institution by statutory instruments appearing immediately after the word may so as to read 'The County Executive Committee Member may make regulations for the better carrying out of the provisions of this Act so as to be in consultation with stakeholders, consultation of stakeholders is an obvious process in making key statutory instrument.

Chair:

(Question of the amendment proposed)

(Question put and agreed to)

(Question that Clause 23 as amended be part of the Bill agreed to)

The first schedule

(Question that the first schedule be part of the Bill proposed)

(The first schedule agreed to)

The second Schedule

Temporary Chairperson: Honourable Members, I now propose the question that the second schedule be part of the Bill. Chairperson Agriculture, Hon. Waiti!

Hon. Wafula Waiti (Chairperson, Agriculture): Thank you Chair. Allow me propose the Second Schedule, that the members of the committee referred to in section 6 (1) shall subject to the provisions of this schedule hold office for a period of three years on terms and conditions as maybe specified in the instruments of appointment but...

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Temporary Chairperson: Hon. Waiti, go back to the second schedule. Begin from the second schedule. That is at the tail end of that page after clause 23. Please move the amendment afresh Hon. Waiti,

Hon. Wafula Waiti: Thank you Hon. Chair. Allow me propose the Second Schedule. That the second schedule to the Bill be amended as follows;

In sub clause 1(1) delete the word 3 and (1) appearing immediately after the word section and substitute with the words 6(1) so as to read; the members of the committee referred to in section 6(1) shall subject to the provisions of this schedule hold office for a period of three years on terms and conditions as may be specified in the instruments of appointment but shall be eligible for re-appointment for one further term so as to correct wrong citation.

In part 2(1)...

Temporary Chairperson: Hon Ndasaba, it is not one term, one further term

(Laughter)

Proceed Hon. Waiti!

Hon. Wafula Waiti: That part 2 (i) and 2 (ii) of the bill, amended by deleting it entirely and substituting, therefore, with the following new clauses to it.

2 (i) the chairperson of the committee shall be the chief officer in charge of agriculture

2 (ii) the vice chairperson of the committee shall be elected among members

2 (iii) the secretary of the committee shall be the chief officer in charge of public health

2 (iv) the persons under paragraphs one and two shall not be of the same gender. So as to provide the leadership of the committee. Thank you, Chair

Temporary Chairperson: Thank you, Hon. Wafula Waiti.

(Question proposed that the second schedule as amended be part of the bill)

(Question put and agreed to)

Next

The third schedule

Temporary Chairperson: Honourable members, I now propose that the third schedule be part of the bill. Hon. Wafula Waiti

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Hon. Wafula Waiti: Honourable Chair, allow me move that the third schedule to the bill be amended by deleting it entirely, so as the County department representatives and the institutions and organizations have already been provided for in clause seven of the bill.

The Temporary Chairperson: Thank you, Hon. Wafula Waiti

(Question proposed that the third schedule as amended be part of the bill)

(Question put and agreed to)

Next

Clause 2, Interpretation

Temporary Chairperson: Honourable Members, I now propose the question that clause number two on interpretation be part of the bill. Hon. Wafula Waiti

Hon. Wafula Waiti: Thank you, Chair, allow me on the interpretation propose that clause two of the bill be amended as follows; In the definition of laboratory, delete the phrase 41 appearing immediately after the word section and therefore replace with the phrase clause 12 so as to read laboratory means the County food laboratory established under section 12 so as to correct the wrong citation.

In the definition of the word public analyst, delete the phrase 44 appearing immediately after the word section and replace therefore with the phrase clause 15(i) so as to read public analyst means a person appointed as a public analyst established under clause 15(i), so as to correct wrong citation.

In the definition of the word relevant laws, delete the word in the manner appearing before the word prescribe and replace with the word as and further delete the word prescribe and replace with the word prescribed so as to read relevant laws means food safety related regulation as prescribed in the first schedule meaning there is no specific manner/way when prescribing relevant laws and to correct grammatical errors, Chair. Insert the words chief officer means chief officer responsible for matters relating to the food safety so as to read chief officer had not been defined it means the chief officer had not been defined.

Temporary Chairperson: Thank you, Hon. Wafula Waiti

(Question proposed that clause 2 as amended be part of the bill)

(Question put and agreed to)

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Next

The long title

The Temporary Chairperson: Hon. Wafula Waiti, hold your horses

(Question proposed that the long title be part of the Bill)
(Question put and agreed to)

Next

Clause 1

The Temporary Chairperson: Well, honourable members

(Question proposed that the clause 1 be part of the bill)
(Question put and agreed to)

Next

Arrangement of clauses

The Temporary Chairperson: Honourable Members, I now propose the question that arrangement of clauses be part of the Bill;

Hon. Wafula Waiti: Thank you, Chair, allow me to propose the arrangement of clauses that the arrangement of clauses be amended by renumbering part 6 as part 4 onwards so as to correct a numbering error in the sequence of parts. Thank you, Chair

The Temporary Chairperson: Thank you, Hon. Wafula Waiti
(Question Proposed that arrangement of clauses as amended be part of the bill)
(Question put and agreed to)

Okay, Honourable Members, I now wish to invite the mover, who is the Chair, to do the reporting.

Hon. Wafula Waiti: Thank you, Honourable Chair, Pursuant to Standing Order Number 145 (16), I beg to move that the committee report to the House it is consideration of the Bungoma County Food Safety Coordination Bill 2025.

The Temporary Chairperson: Thank you, Hon. Wafula Waiti;
(Question put and agreed to)

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RESUMPTION OF HOUSE

(MR. SPEAKER IN THE CHAIR)

Mr. Speaker: Honourable Members, pursuant to our Standing Orders, allow me invite the Chairperson of the Committee of the Whole House to report back to the Chair of the outcome of the Committee of the Whole House. Hon. Benjamin Otsiula, you report back to the Chair. Sorry, the Hon. Benjamin Otsiula, I was consulting and being given a brief, proceed.

Temporary Chairperson: Thank you, Honourable Speaker. Reporting stage of the Bungoma County Food Safety Coordination Bill 2025. Mr. Speaker, pursuant to Standing Order 147, the Committee of the whole House consider the Bungoma County Food Safety Coordination Bill 2025 with amendments as follows;

Clause 3, Objects and Purpose of the Act was approved without amendments.

Clause 4, Application was approved without amendments.

Clause 5, Guiding Principles was approved without amendments.

Clause 6, Establishment of the Food Safety Coordination Committee was approved without amendments.

Clause 7, Composition of the Food Safety Coordination Committee was approved with amendments.

Clause 8 was approved with amendments.

Clause 9, Functions of the Committee was approved with amendments.

Clause 10, Establishment of the Food Safety Technical Committees was approved without amendments.

Clause 11, Food safety operators' responsibilities was approved with amendments.

Clause 12, Honourable Speaker, county food safety laboratory was approved without amendments.

Clause 13, Functions of the food safety laboratory was approved without amendments.

Clause 14, Laboratory head and other staff was approved without amendments.

Clause 15, Certificate of analysis was approved without amendments.

Clause 16, Sources of financing was approved with amendments.

Clause 17, Annual estimates was approved without amendments.

Clause 18, Honourable Speaker, annual reports was approved with amendments.

Clause 19, Accounts and audits was approved without amendments.

Clause 20, Appeals was approved with amendments.

Clause 21, General penalty was approved without amendments.

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Clause 22, Offences by principal officers of body corporate or non-corporate body was approved without amendments.

Clause 23, Regulations was approved with amendments.

Schedules

First schedule, Honorable Speaker, relevant laws was approved without amendments.

Second schedule, provisions as to conduct of, as to the conduct of business and affairs of the committee was approved with amendments.

Third schedule, representatives of county departments, institutions and organizations and competent authorities was approved with amendments.

Clause 2, on interpretation was approved with amendments.

Long title was approved without amendments.

Clause 1 that is on short title and commencement was approved without amendments.

Arrangement of clauses was approved with amendments. Thank you, Honourable Speaker, I wish to report.

Mr. Speaker: Thank you, Hon. Benjamin Otsiulah, the Chairperson of the Committee of the Whole House for reporting back to the House upon the completion of the Whole House session. Honourable Members pursuant to the provisions of Standing Order number 148 (1). I now proceed to propose the question that the House does agree with the committees said report.

(Question put and agreed to)

The House does agree with the report arising from the Committee of the Whole House.

(Applause)

Honourable Members, I think to that extent as you understand, we never moved a motion to reduce the time for majority after the Second Reading of the Bill and arising from the report of the Committee of the Whole House.

It's not mature today for us to have the same session. We'll take the next sitting, which is tomorrow for a Third Reading of the same. To that extent, thank you for the Members who have stayed behind to approve this important legislation from the Committee of the Whole House.

ADJOURNMENT

We'll adjourn our sitting today and resume tomorrow, 26th of February, 2026, at 2:30 p.m. session. Thank you.

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The House rose at 4.32 p.m.

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