



**COUNTY ASSEMBLY OF
BUNGOMA**

JOURNAL

OF THE

VOTES AND PROCEEDINGS

2nd Session – 2023

2nd Edition

December, 2023

LEGISLATIVE SERVICES

FORWARD

From Tuesday 14th February to 7th December, 2023

Session Two - 2023

THE THIRD COUNTY ASSEMBLY OF BUNGOMA

**JOURNALS OF THE COUNTY ASSEMBLY OF
BUNGOMA**

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 14TH FEBRUARY, 2023 AT 2.30 P.M.

1. The County Assembly assembled at 2.33. P.M
2. The proceedings were opened with prayer
3. Presiding: Speaker (**Hon. Emmanuel Situma**)
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications:

(i) Welcoming remarks & lapse of Businesses of the 1st session.

“**Honourable Members**, I wish to welcome you back to the August House following the long recess and hope that you are sufficiently rested and rejuvenated in readiness for the commencement of the 2nd Session of the third County Assembly which will be a busy one.

Honourable Members, today marks the beginning of one of the busiest parts of the Session among them the Budget, various legislations in the County Assembly Calendar among other upcoming crucial business.

Honourable Members, as we commence the Session, I wish to bring to the attention of the House that, going by our practices and the Standing Orders, certain business that was not concluded at the end of the last Session, such as Motions, as well as Questions and Statements which had not been responded to, has now lapsed.

To this end, every Chairperson of a Committee or individual Member who wishes to re-introduce such business is advised do so by contacting the Office of the Clerk to revive the business. This, however, does not apply to Bills and petitions.

Honourable Members, with regard to questions and statements going forward, I wish to direct all Chairpersons of Sectoral Committees to provide progress reports to the House pursuant to the requirements of Standing Order 54. The respective reports should indicate the list of questions and statements

referred to their Committees, those replied to, those awaiting further information or reply, and those still pending. The Chairpersons will be expected to avail this information in form of a brief Statement to be made in the House. These reports will enable Members to know the fate of their questions and statements which were still pending in Committees.

Thank you!!

(ii) Guidelines on the management and operations of Committees

“Hon. Members, in the recent past, there has been concern on the manner in which Committees are being managed and particularly by Chairpersons and Hon. Members. It is on the basis of these concerns that I am issuing this Communication to address critical issues that affect the management and operations of Committees. The importance of Committees cannot be gainsaid and, as alluded to during the Leadership and Liaison Committee Retreats in Kisumu; Committees serve as the reference point for legislation, oversight and involvement of the public in the affairs of the Legislature in the manner contemplated in the Constitution. It is the manner in which Committees conduct their business that builds up or destroys the image of the Legislature.

First, Management of Committees, as you are aware, is vested in the Office of the Speaker and Liaison Committee in terms of Standing Order No. 216(2), the chairpersons of Committees, Standing Order No.182 and the Office of the Clerk. The four offices, working in synergy, enable the operations of Committees to run efficiently and effectively thereby ensuring that the House executes its legislative and oversight mandate as provided for under the Constitution and the County Governments Act, 2012.

While the Speaker, Liaison Committee and the chairpersons of committees offer strategic leadership and direction, the Office of the Clerk is facilitative in nature and has, over the years, come to be regarded as the backbone of the Committee system in all Parliamentary democracies.

Hon. Members, in day-to-day operations, Committees are managed by Committee Clerks and other officers who give procedural advice to the Committee, take minutes of the Committee proceedings, receive and preserve documents on behalf of the Committees and carry out other important logistical and administrative duties. The secretariat also assists in official communication,

arranging appearance of witnesses and advising chairpersons and members on procedures in Committees. In essence, the Committee secretariat is responsible for coordinating the affairs of the Committee and ensuring that the Committee gets the needed support to be effective in discharging its mandate.

The effectiveness of any oversight committee has, therefore, a bearing on the services provided by the Committee secretariat and the synergy between the secretariat and the chairperson of the Committee. I urge all chairpersons to accord the secretariat the necessary support in the discharge of their duties and, more importantly, in the application of the Standing Orders and the unwritten practices of the House.

Second, on conduct of meetings, Hon. Members, in the recent past, there has been a worrying trend in the frequency at which Committee members are holding meetings to the exclusion of the secretariat and, more so, the Committee Clerks. Clerks are –Officers of the House– and just as is the case with the House which cannot sit without the Clerks-at-the-Table, Committees should not meet or transact any business without the secretariat. A Committee meeting is, therefore, not complete in the absence of a committee clerk and secretariat and will, henceforth, be treated as an informal gathering or a Committee Kamukunji. Committees are within their powers to exclude, on the other hand, any person or even the public from its proceedings for justifiable reasons pursuant to Standing Order No.250. But such exclusion however, does not apply to Committee Clerks who are part and parcel of the Committee architecture.

Third, on attendance of Committee meetings, Hon. Members, the attendance of Committee sittings by members is important for an effective oversight Committee. It has been brought to my attention and witnessed as such, that some Committees are finding it extremely difficult to raise quorum within the required time as provided for in Standing Order No.187, which states as follows:-

–Unless quorum is achieved within thirty minutes of the appointment time, a meeting of a committee of the House shall stand adjourned to such further time or day as the chairperson of the Committee may appoint.¶

Committees are also unable to sustain quorum during deliberations of businesses

before them, Members just appear for the sake of recording attendance and disappear. This has brought embarrassment and loss of dignity to committees and the County Assembly as a whole, especially when witnesses have been invited and meetings do not take off or end up with one or two Members conducting the business of the Committee. This is a shame and must end.

Furthermore, there have been instances when Committees fail to raise the requisite numbers necessary for adoption of reports, thus draft reports remain pending before Committees for unnecessarily long periods. I exhort Members to fully participate in Committee sittings to enrich their deliberations and be seized of the matters under consideration to enable Committees to come up with impeccable findings and recommendations. Let us all ensure that retreats and field visits are properly utilized to conduct businesses and not picnics and holidays. There must be value for money on any Committee activities.

I therefore direct as follows;

- (a) All chairpersons or persons designated to chair Committee meetings or Committee retreats pursuant to Standing Order No.190 shall close the attendance register upon the close of the business, and no member shall be allowed to sign register or Committees report whose contents they are not aware.*
- (b) Adoption of the Committee Reports shall be done at the venue of the retreat upon conclusion and adoption of the Committee recommendations.*
- (c) Members should and must attend Committee meetings without fail. If they fail, the provisions of Standing Order No.189 will apply where failure to attend four (4) consecutive meetings without the permission of the chairperson or the Speaker will lead to **automatic removal** of that member from that Committee. Any Member discharged from a Committee in a situation such as this for non-attendance will not be eligible for re-appointment to any other Committee.*

I urge chairpersons of Committees to co-operate with the clerks to provide lists of attendance on every Committee sitting for purposes of administering Standing Order No.189.

As agreed in the Leadership Retreat recently in Kisumu, I hereby direct that the provisions of these Standing Orders and recording of sittings of committees and on quorum be implemented to the letter. I need to remind ourselves that those

who desire not to attend or be members of committees can as well indicate such desires to their respective leadership of the political parties.

Fourth, on Committee reports, Hon. Members, Committees communicate to the House through their reports. It is, therefore, imperative that committees prioritize consideration of Bills, Sessional Papers, statutory instruments, audit reports and Petitions and submit reports within the statutory timelines. Some Committees have taken inordinately long to conclude inquiries, engaging in unending investigations while others re-open inquiries even after going for report writing. The delay in concluding inquiries and producing reports on time leads to unnecessary speculation and fuels rumours of rent-seeking, among others. This waste of public resources on unending –investigations will not be acceptable.

Finally, Hon. Members, this being a House of procedure and rules, I, therefore, urge you Members to conduct your official business within the provisions of the Constitution, statutes and our own Standing Orders and, particularly, respect the rules against anticipating debates and commenting on reports which have not been tabled before the House, consideration of which is before Committees.

I urge committees to take legislation and other business before them more seriously and report within the stipulated time frames.

The House is accordingly guided for implementation.

I thank you

5. PAPERS

The following paper was tabled:-

Nomination list of Members to serve in the House Business Committee for the second session of the third County Assembly

Tabled by the Leader of the Majority Party

6. NOTICES OF MOTION

The following notices of motion were issued:-

- i) **THAT**, pursuant to the provisions of Standing Order 173 (1) (g) the House approves the nomination of Members to serve in the House Business Committee.

Issued by Hon. Joseph Nyongesa, Leader of Majority Party

- ii) **THAT**, this House approves the Report by Budget and Appropriations Committee on Bungoma County Budget Review and Outlook Paper FY 2022/2023.

Issued by Hon. Charles Nangulu, Vice Chairperson, Budget and Appropriations Committee.

7. MOTION: PROCEDURAL MOTION FOR THE NOMINATION OF MEMBERS TO THE HOUSE BUSINESS COMMITTEE

THAT, pursuant to the provisions of Standing Order 173 (g) the House approves the nomination of the following Members to serve in the House Business Committee

1.	Hon. Emmanuel Situma	Speaker	Chairperson
2.	Hon. Stephen Wamalwa	FK	Member
3.	Hon. Joseph Nyongesa	FK	Member
4.	Hon. Meshack Simiyu	FK	Member
5.	Hon. Christine Mukhongo	FK	Member
6.	Hon. Mildred Barasa	FK	Member
7.	Hon. Violet Makhanu	FK	Member
8.	Hon. Jack Wambulwa	FK	Member
9.	Hon. Hentry Nyongesa	UDA	Member
10.	Hon. Anthony Lusenaka	DAP	Member
11.	Hon. Miliah Masungu	DAP	Member
12.	Hon. Cornelius Makhanu	DAP	Member
13.	Hon. Metrine Nangalama	DAP	Member
14.	Hon. Johnston Ipara	MCC	Member
15.	Hon. Jacob Psero	IND	Member

Mover: Hon. Joseph Nyongesa

Seconder: Hon. Anthony Lusenaka

Question proposed

Debate arising

Mover called to reply

Question put and motion adopted

ASSEMBLY INTERRUPTED - 15.04 P.M. to allow the House Business Committee to sit and prioritize Business of the week

The House resumed at 3.22 pm with the supplementary order paper

8. PAPERS

The following paper was laid by Hon. Joseph Nyongesa, Leader of Majority

The County Assembly Legislative Calendar for the second Session of the third County Assembly, 2023 (Regular sessions of the County Assembly) for the year 2023 (February – December 2023)

9. NOTICES OF MOTION

The following notice of motion was issued by Hon. Joseph Nyongesa, Leader of Majority

That pursuant to the provisions of Standing Order 31 (1), the House approves the County Assembly Legislative Calendar for the second Session of the Third County Assembly, 2023 (Regular sessions of the County Assembly) for the year 2023 (February – December 2023)

10. STATEMENTS

Pursuant to the provisions of Standing Order 47 (2) (a)

A statement informing the County Assembly of the Weekly Business coming before the House from Wednesday the 15th to Thursday the 16th February, 2023.

Issued by Hon. Violet Makhanu, Member of the House Business Committee

11. PROCEDURAL MOTION: APPROVAL OF THE LEGISLATIVE CALENDAR FOR THE SECOND SESSION OF THE THIRD COUNTY ASSEMBLY, 2023

THAT, pursuant to the provisions of Standing Order 31 (1), the House approves the County Assembly Legislative Calendar for the second Session of the Third County Assembly, 2023 (Regular sessions of the County Assembly) for the year 2023 (February – December 2023)

Mover: Hon. Joseph Nyongesa

Seconder: Hon. Anthony Lusenaka

Question proposed

Debate arising

Mover called to reply

Question put and motion adopted

HOUSE ROSE - 3:50 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 15th February, 2023 at 9:30 a.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 15TH FEBRUARY, 2023 AT 9:30A.M.

1. The County Assembly assembled at **9:32 A.M.**
2. The proceedings were opened with prayer
3. Presiding: Speaker (**Hon. EMMANUEL SITUMA**)
4. **PETITIONS**

Petition by Emony Yefwe International on denial of right to health services to Johnkin Wanjala and his subsequent death at Webuye County Hospital.

The Chairperson, Committee on Justice, Cohesion and Legal Affairs inform the House the Committee's findings and recommendations on the petition under S.O 226.

5. **PAPERS**

The following Papers were laid by the Hon. Joseph Nyongesa;

- I. Report by the House Business Committee on the Affairs of the County Assembly during the First Session of the Third County Assembly.
- II. The Policy Statement on enhancing Own Source Revenue (OSR) by the County Government of Bungoma.

Committed to the Committee of Finance and Economic Planning for processing.

6. **NOTICES OF MOTION**

The following notice of motion was issued by Hon. Joseph Nyongesa;

THAT, the House adopts the Report by the House Business Committee on the Affairs of the County Assembly during the First Session of the Third County Assembly, 2022.

It was directed that report be circulated to Hon. Members

7. **MOTIONS**

The following motion was moved;

THAT, the House approves the report by Budget and Appropriations

Committee on the Bungoma County Budget Review and Outlook Paper FY
2022/2023

Motion Moved by: Hon. Charles Nangulu

Seconded by: Hon. Jack Wambulwa

Motion debated

Mover Called upon to reply.

Question put and AGREED TO

Motion Adopted

HOUSE ROSE - at 11:40 A.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 15th February, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 15TH FEBRUARY, 2023 AT 2:30P.M.

1. The County Assembly assembled at **2:32 P.M.**
2. The proceedings were opened with prayer
3. Presiding: Speaker (**Hon. EMMANUEL SITUMA**)
4. **PAPERS**

The following paper was laid by Hon. Jack Wambulwa

Report by the sectoral committee on Public Administration and ICT on the Bungoma County State of County Address BILL, 2022.

5. **NOTICES OF MOTION**

The following notice of motion was issued by Hon. Jack Wambulwa

THAT, the House adopts the report by the Sectoral Committee on Public Administration and ICT on the Bungoma County State of County Address Bill, 2022

6. **MOTIONS**

THAT, the House adopts the report by House Business Committee on the affairs of the County Assembly during the 1st session of the Third County Assembly, 2022

Moved by Hon. Joseph Nyongesa

Seconded by Hon. Metrine Nangalama

Motion proposed

Debate arose

Mover called to reply

Question proposed

Question put and AGREED TO

HOUSE ROSE - at 3:45 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 16th February, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 16TH FEBRUARY, 2023 AT 2:30P.M

1. The County Assembly assembled at **2:34 P.M.**
2. The proceedings were opened with prayer.
3. Presiding: Speaker (**Hon. STEPHEN WAMALWA**)
4. **COMMUNICATION FROM THE CHAIR**

The presiding Speaker conveyed the following communication;

- Letter from the Governor, informing the House of his intention to address the County Assembly on 21st February 2023.
- Letter from the Chairperson, Committee of Finance and Economic planning to withdraw the Bungoma County Equitable Development Bill.

5. **PAPERS**

The following paper was laid by Hon. Waiti Wafula

Report by the sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperatives Development on the implementation status of farm input support program.

6. **NOTICES OF MOTIONS**

The following notice of motion was issued by Hon. Waiti Wafula;

That, the House adopts the report by the Sectoral Committee on Agriculture, Livestock, Fisheries, irrigation and Cooperatives Development on the implementation status of farm input support program.

It was directed that the report be circulated to Hon. Members

7. **STATEMENTS**

The following statement was issued by Hon. Anthony Lusenaka, Leader of Minority

Weekly Business coming before the House from Tuesday the 21st –Thursday the 23rd February, 2023.

8. **BILLS**

The following Bill was read for the second time;

The Bungoma County State of the County Address Bill, 2022.

9. COMMITTEE OF THE WHOLE HOUSE;

IN THE COMMITTEE

The Chairperson; Hon. Christine Mukhongo

Amendments proposed

Clause 4 (4)

THAT Clause 4 sub clause (4) be amended;

By inserting an apostrophe on the word Governors so as to read;

The *Governor's* address shall contain

Mover: Hon. Tony Barasa

Question Proposed

No debate

Question put and AGREED TO

Clause 10

THAT Clause 10 be amended by replacing the word *External Media* with Accredited Media.

Mover: Hon. Tony Barasa

Question Proposed

No debate

Question put and AGREED TO

Clause 2;

THAT Clause 2 be amended by having the following interpretation;

- i) The –Governor means *the Governor of the County Government of Bungoma, while*
- ii) Year' means *the calendar year for the period beginning January and ending December*

Mover: Hon. Tony Barasa

Question proposed

No debate

Question put and AGREED TO

Reporting Stage

Under SO. 147; report of the Committee of the Whole House, the Chairperson Committee of the Whole House reported as follows;

Clause 3: Purpose of the Act. was approved without amendments

Clause 4: the Governor's Address was approved with amendments

Clause 5. Notification of place, date and time was approved without amendments

Clause 6: Governor entering or leaving the Chamber was approved without

amendments

Clause 7: Delivery of Governor's Address was approved without amendments

Clause 8: Tabling and debate of Address was approved without amendments

Clause 9: Public Access was approved without amendments

Clause 10: External Media was approved with amendments

Clause 2: Interpretation was approved with amendments

Clause 1: Short title was approved without amendments

Mover: Hon. Tony Barasa that the House does agree with the Committee in the said report

Question put and AGREED TO.

**10. THE BUNGOMA COUNTY GOVERNMENT EQUITABLE SHARE BILL,
2022**

A progress report by Finance and Economic Planning Committee

Hon. Everton Nganga, Member, Finance and Economic Planning

HOUSE ROSE - at 3:45 P.M.

MEMORANDUM

The Speaker will take the Chair on

Tuesday 21st February, 2023 at 2:30P.M.

-x-



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY– SECOND SESSION
VOTES AND PROCEEDINGS
TUESDAY 21ST FEBRUARY, 2023 AT 2.30 PM

1. The House assembled at 2.34 PM.
2. **National and East African Anthem (Hansard)**
3. The Proceedings were opened with prayers said by the following Spiritual Leaders
 - ✓ Kadhi
 - ✓ Chaplain
 - ✓ Priest
4. **CONVOCATION BY THE SPEAKER OF THE COUNTY ASSEMBLY**

The Speaker welcomed members to the Governor's Address and reminded them the provision of Standing Order 28.
5. **STATE OF THE COUNTY ADDRESS TO THE 3RD COUNTY ASSEMBLY**

His Excellency the Governor of the Bungoma County Government presented the state of the County address.
6. **ADJOURNMENT OF THE HOUSE**

The Speaker invited all Honourable Members and guests to the Reception at the County Assembly Cafeteria.

He also requested all Honourable Members and guests to remain standing in their places until the procession of His Excellency the Governor and the Spiritual Leaders had left the Chamber.

HOUSE ROSE- at 3.24PM

MEMORANDUM

The Speaker will take the Chair on
Wednesday 22nd February 2023 at 9.30A.M

- X -



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 22ND FEBRUARY, 2023 AT 9:30A.M.

1. The County Assembly assembled at 9:35 A.M
2. The proceedings were opened with prayer
3. Presiding: Speaker (**Hon. Benjamin Otsiula**)
4. **PAPERS**

The following papers were laid:

- I. The Address by Governor

Paper laid by Hon. Joan Kirong, Deputy Leader of majority party

- II. Report by the Sectoral Committee on Gender, Culture and Social Welfare on the Bungoma County Cultural Heritage Bill, 2022

Paper laid by Hon. Florence Juma, member of Sectoral Committee on Gender, Culture and Social Welfare

5. NOTICES OF MOTION

The following notices of motions were issued:

- I. THAT, the thanks of the County Assembly be recorded for the Exposition of the Public Policy contained in the Address of the Governor delivered on Tuesday 21st February, 2023.

Notice issued by Hon. Joan Kirong, Deputy Leader of majority party

- II. THAT, the House adopts the report by the Sectoral Committee on Gender, Culture and Social Welfare on the Bungoma County Cultural Heritage Bill, 2022

Notice issued by Hon. Florence Juma a member of the Sectoral Committee on Gender, Culture and Social Welfare

6. BILLS

THE BUNGOMA COUNTY STATE OF COUNTY ADDRESS BILL, 2022

A Bill for an Act of the County Assembly of Bungoma to provide for the delivery of the annual state of the County Address by the Governor of Bungoma County to the County Assembly of Bungoma and for matters incidental thereto.

Mover: Hon. Caleb Wanjala

Question proposed.

No debate

Question put and agreed to

The Bill read for the third time.

HOUSE ROSE- At 9:50 A.M

MEMORANDUM

*The Speaker will take the Chair on
22nd Wednesday February, 2022 at 2:30 p.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 22ND FEBRUARY, 2023 AT 2:30P.M

1. The County Assembly assembled at **2:32 P.M.**
2. The proceedings were opened with prayer.
3. Presiding: Speaker (**Emmanuel Situma**)
4. **PAPERS**

The following paper was laid by Hon. James Mukhongo:

Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan (ADP) FY 2023- 2024

5. **NOTICES OF MOTIONS**

The following notice of motion was issued by Hon. James Mukhongo:

THAT, the House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan (ADP) FY 2023-2024

6. **MOTION: DEBATE ON THE ADDRESS BY THE GOVERNOR**

THAT, the thanks of the County Assembly be recorded for the exposition of the Public Policy contained in the address of the Governor delivered on Tuesday 21st February, 2023 - (1st allotted day)

Mover: Hon. Joseph Juma

Seconder: Hon. Hentry Nyongesa

Motion Proposed

Debate Arising

House adjourned under SO no.1 and it will continue with the debate in the next sitting

HOUSE ROSE - at 4:36 P.M.

MEMORANDUM

The Speaker will take the Chair on

Thursday 23rd February, 2023 at 2:30P.M.



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 23RD FEBRUARY, 2023 AT 2:30P.M

1. The County Assembly assembled at **2:35 P.M.**
2. The proceedings were opened with prayer
3. Presiding: Speaker (**Hon. EMMANUEL SITUMA**)
4. **STATEMENTS**

Pursuant to the provisions of Standing Order 47(2) (a), the following statement was issued:

A Statement informing the County Assembly of the Weekly Business coming before the House from Tuesday 28th February to Thursday 2nd March, 2023.

Statement issued by Hon. Stephen Wamalwa

5. **MOTIONS**

I. **DEBATE ON THE ADDRESS BY THE GOVERNOR**

THAT, the thanks of the County Assembly be recorded for the exposition of the Public Policy contained in the address of the Governor delivered on Tuesday 21st February, 2023.

Continuation of debate

Mover called to reply.

II. **THAT** the House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan(ADP) FY 2023-2024.

Moved by Hon. James Barasa

Mukhongo Seconded by Hon.

Catherine Kituyi Question

proposed

Debate arose

Mover called to reply

Question put and

AGREED TO

HOUSE ROSE - at 5:05 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 28th February, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 28TH FEBRUARY, 2023 AT 2:30 P.M

1. The County Assembly assembled at 2:31 P.M.

2. The proceedings were opened with prayer.

3. **Presiding: Speaker** (Emmanuel Situma)

4. **COMMUNICATION FROM THE CHAIR**

Hon. Speaker informed members that they would use a supplementary order paper because of the documents received from the executive.

5. **PETITIONS**

Petition on the new Organogram in the department of Health and the Bungoma Health Act 2019.

Committed to the joint committees on Health Services and Justice, Cohesion and Legal Affairs

6. **PAPERS**

The following papers were laid by Hon. Joseph Nyongesa

- I. The County Fiscal Strategy Paper 2023
- II. The County Medium Term Debt Management Strategy Paper for FY 2023/2024-FY 2025/26
- III. The County Medium Term Expenditure Framework and County Fiscal Strategy Paper for FY 2023/24 Public participation report
- IV. They were committed to the committee on Budget and Appropriations. Sectoral Committees to extract relevant areas, conduct interrogations and report to Budget and Appropriations committee
- V. Report by the Liaison Committee on the committees' activities in the First Session, Third County Assembly and committees' retreat schedule for the period February - June, 2023

Paper laid by Hon. James Mukhongo

7. **NOTICES OF MOTIONS**

The following notice of motion was issued by Hon James Mukhongo

THAT, the House adopts the report by Liaison Committee on the committees activities in the First Session, Third County Assembly and committees' retreat schedule for the period February-June,2023.

8. STATEMENTS

Hon. George Kwemoi gave a personal statement thanking all the members who supported him when he had an election petition to the time he won.

9. MOTION

The following motion was moved that, the House adopts the report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the implementation status of Farm Input Support Programme.

Mover: Hon. Wafula Waiti

Seconder: Hon. Aggrey Mulongo

Question proposed

Debate Arising

Mover called to reply

Question put and **AGREED TO**

Report adopted

HOUSE ROSE - at 4:28P.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 1st March, 2023 at 9:30A.M.*



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 1ST MARCH, 2023 AT 9:30 A.M

1. The County Assembly assembled at 9:30 A.M.
2. The proceedings were opened with prayer
3. **Presiding Speaker** (Hon. Emmanuel Situma)
4. **COMMUNICATION FROM THE CHAIR**
Adjustment of the order paper.

5. PAPERS

The following papers were laid by Hon. Joseph Nyongesa (Leader of Majority)

- I. Report from the County Executive on the Half year County Revenue Fund statements FY 2022/2023 for the period ended December 31, 2022.

Committed to the committee on Finance and Economic Planning.

- II. Report from the County Executive on the Half year financial statements FY 2022/2023 for the period ended December 31, 2022.

Committed to all sector Committees for interrogation and report back to the House thereafter.

6. NOTICES OF MOTION

The following notice was issued by Hon. Joseph Nyongesa (Leader of majority;

THAT, Pursuant to the provisions of Standing Order No.73 (1) (c) (iii); Sections 8 (1) (d) of the County Government Act, 2012 and Section 140 and 142 of the Public Finance Management Act, 2012, that the House approves; that, the County Assembly Service Board enters an agreement with the Kenya Commercial Bank of Kenya, for purposes of overdraft facility (short term borrowing) to cater for the early processing of the net salary only, for its members and the staff in case of delays of the exchequer release from the National Treasury

7. SPECIAL MOTION:

Pursuant to the provisions of Standing Order No.73 (1) (c) (iii); Sections 8 (1) (d)

of the County Government Act, 2012 and Section 140 and 142 of the Public Finance Management Act, 2012, that the House approves; **THAT**, the County Assembly Service Board enters an agreement with the Kenya Commercial Bank of Kenya for the 2023, for purposes of overdraft facility (short term borrowing) to cater for the early processing of the net salary only, for its members and the staff in case of delays of the exchequer release from the National Treasury.

Motion moved by Hon. Joseph Nyongesa (Leader of Majority)

Seconder: Hon. Ali Machani (Member of the Board)

Question proposed

Debate arose...

Mover called to Reply

Question put and **AGREED TO**, Motion adopted.

8. MOTION: REPORT BY THE LIAISON COMMITTEE ON THE COMMITTEES ACTIVITIES IN THE FIRST SESSION, THIRD COUNTY ASSEMBLY AND COMMITTEES RETREAT SCHEDULE FOR THE PERIOD FEBRUARY-JUNE, 2023

THAT, the House adopts the Report by the Liaison Committee on the committees' activities in the First session, Third County Assembly and Committees' retreat schedule for the period February-June, 2023.

Motion Moved by Hon. Stephen Wamalwa

Seconder: Hon. Christine Mukhongo

Question proposed

No debate arose

Question put and **AGREED TO**,

Motion adopted.

HOUSE ROSE - at 11:05 A.M

MEMORANDUM

The Speaker will take the Chair on

Wednesday 1st March, 2023 at 2:30 p.m.

-X-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 1ST MARCH, 2023 AT 2:30P.M.

1. The County Assembly assembled at 2:34 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **PAPERS**

The following papers were laid;

- I. Report by Implementation Committee on the implementation status of the Bungoma County Industrialization and Bungoma County Drilling Rig Policies Laid by Hon. Jacob Psero
- II. Memorandum submitted by Bungoma County child rights network to the County Assembly on Holistic Skills Development in Bungoma County Laid Leader of Majority committed to Committee on Education for processing and reporting to the House.

5. **NOTICES OF MOTIONS**

The following notice of motion was issued by Hon. Jacob Psero;

That, the House adopts the report by Implementation Committee on the implementation status of the Bungoma County Industrialization and Bungoma County Drilling Rig Policies

Notice issued and it was directed report to be circulated to Hon. Members

6. **BILLS**

The following Bill was read for the Second time;

The Bungoma County Cultural Heritage Bill, 2022

7. **COMMITTEE OF THE WHOLE HOUSE;**

The Chairperson; Hon. Stephen Wamalwa

Clause without amendment

Clauses 10,12,13,15,16,18,19,20,21,24,26,28

Question Proposed

No debate

Question Put and AGREED TO

Clauses with amendments

Clause 3

Question proposed

Amendment moved by Hon. Jack Kawa

THAT, Clause 3 be amended by deleting the words –regulate, protect and promote the following activities and services of county importance for the interest and enjoyment of the community and persons visiting the county immediately after the words –Act are.

And that paragraphs (a) and (b) be deleted and the words cultural sites and cultural activities be part of the paragraph so as to read:

3. (a)The objects of the Act are to Regulate, protect and promote the cultural sites and cultural activities for the interest and enjoyment of the community and persons visiting the county-

And that sub clauses from (c), (d), (e), (f), (g), (h), (i) be rearranged as (b), (c), (d), (e), (f), (g), respectively.

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 4

Question proposed

Amendment moved by Hon Jack Kawa

THAT, sub clause 4 (c) be approved with amendments by inserting the words –or Acts of Parliament immediately after the word –Constitution. So as to read:

4.(c)vested under the national level of government by virtue of the Constitution or Acts of parliament

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 5

Question proposed

Amendments moved by Hon. Jack Kawa

THAT, clause 5 be approved with amendments;

- (a) by inserting the word –in consultation with the County public Service Board after the word –Member and
 - (b) and by deleting the word –County.
- So as to read:

The Executive Committee Member in consultation with the County Public Service Board shall by notice in the Gazette, appoint such number of officers with knowledge and experience in culture to be authorized officers to oversee the activities taking place in cultural sites under this Act

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 6

Question proposed

Amendment moved by Hon. Jack Kawa

THAT, sub clause 6(1)(a) be approved with amendments; by inserting the word –thereto immediately after the word –individual so as to read:

hold in trust for the communities in the county, any cultural articles and cultural sites not owned by an individual thereto or organization;

And that paragraph (n) be deleted and paragraphs (o) and (p) be re-numbered respectively

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 7

Question proposed

Amendments moved by Hon Jack Kawa

THAT, Clause 7 subclause (a) of the Bill be approved with amendments by deleting the words –shall compel another after the words –no person and substituting it therefore with the words –is compelled ; so as to read;

No person is compelled to perform, observe or undergo any cultural practice or rite

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TOO

Clause 8

Question Proposed

Amendment moved by Hon. Jack Kawa

THAT, Clause 8(1) of the Bill be approved with amendments by deleting the words –establish cultural infrastructure and –after the word –shall and by inserting the word –establish after the word –center so as to read;

The Department shall in consultation with the Kenya Cultural Centre, establish at least one cultural centre the objects of which are to provide-

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 9

Question proposed

Amendment Moved by Hon. Jack Kawa

THAT, Clause 9 subclause 2 of the Bill be approved with amendments by inserting the word –cultural immediately after the word –public so as to read; *The public cultural forum shall consist of-*

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TOO

Clause 11

Question Proposed

Amendments moved by Hon Jack Kawa

THAT, the headnotes in Clause 11 of the Bill be approved with amendments by inserting the word –and activities immediately after the word –articles so as to read;

Protection of cultural articles and activities

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 14

Question proposed

Amendments moved by Hon. Jack Kawa

THAT, Clause 14 subclause (1) of the Bill be approved with amendments by inserting the words –and members of the community immediately after the word –Government so as to read;

The Executive Committee Member responsible for cultural activities after consultation with the National Government and members of the community and after taking into consideration the usage; historical significance and other relevant matters relating to a site, declare any site to be a cultural site protected under this Act.

Question proposed that the clause be amended as proposed

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

Question put and AGREED TO

Clause 17

Question proposed

Amendment moved by Hon Jack Kawa

THAT, Clause 17 subclause (1) of the Bill be approved with amendments by deleting the expression –20 and substituting therefore with the expression –14 ; so as to read as; -

The Department shall determine the times, dates and conditions under which a

cultural site declared under 14 is open to the public.

and subclause (5) by inserting the words –the cultural site and –a person ordered to leave immediately after the word –leavell .

So as to read; –

Where a person in a cultural site commits an offense relating to this part, an authorized officer may order that person to leave the cultural site and a person ordered to leave must leave the premises by the shortest route available to the public

Question proposed that the clause be amended as proposed

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

Question put and AGREED TO

Clause 22

Question Proposed

Amendment moved by Hon. Jack Kawa

THAT, Clause 22 of the Bill be approved with amendments by deleting the words commits an offense and replacing with –who and introducing a new subclause

(1) so as to read;

22(1) A person who-

And sub –clause (2) be amended by deleting the words –or any other section under this part appearing after the words –under sub-section (1) so as to read;

22(2) A person who commits an offense under subsection (1) is liable on conviction to a fine not exceeding two hundred thousand shillings or to a term of imprisonment not exceeding two years or both

And by deleting sub-clause (3) in its entirety

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 23

Question proposed

Amendment moved by Hon. Jack Kawa

THAT, Clause 23 of the Bill be approved with amendments by inserting the words –any relevant after the words –this Act so as to read;

The Department may issue permits relating to the management of cultural centers, sites or institution and the use of protected flora or fauna of cultural importance in accordance with the provisions of this Act and any relevant national legislation

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 25

Question proposed

Amendment moved by Hon. Jack Kawa

THAT, Clause 25 of the Bill be approved with amendments by deleting the words –as long as the said Act is in line with the Constitution and the Public Officers Code of Conduct so as to read;

No action or omission by a public officer shall, if the Bill was done in good faith for the purpose of carrying out the provisions of this Bill or any other law, subject the person to any liability, action, claim or demand

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 27

Question proposed

Amendment moved by Hon. Jack Kawa

THAT, Clause 27 subclause 2 of the Bill be approved with amendments by deleting the word –the inspector after the article –the and substituting therefore the words –such an officer so as to read;

Despite subsection (1), such an officer shall produce a valid identification document before entering any premises.

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Clause 2

Question proposed

Amendment moved by Hon. Jack Kawa

THAT, Clause 2 of the Bill be amended by deleting the interpretation of the word
–vehiclell in its entirety

Question proposed that the clause be amended as proposed

No debate

Question Put and AGREED TO

Question proposed that clause as amended be part of the Bill

No debate

Question put and AGREED TO

Reporting Stage

Under SO. 147; report of the Committee of the Whole House, the Chairperson
Committee of the Whole House reported as follows;

Clause 3. Objects and purpose	Approved with amendments
Clause 4. Application of the Act	Approved with amendments
Clause 5. Authorized officers	Approved with amendments
Clause 6. Responsibilities of the County Government	Approved with amendments
Clause 7. Protection of individuals	Approved with amendments
Clause 8. Establishment of cultural centres	Approved with amendments
Clause 9. Establishment of a cultural forum	Approved with amendments
Clause 10. Determination of article of a cultural nature	Approved without amendments
Clause 11. Protection of cultural articles	Approved with amendments
Clause 12. Registration of cultural articles	Approved without amendments
Clause 13. Establishment of cultural and creative industries	Approved without amendments

Clause 14. Declaration of Cultural Sites	Approved with amendments
Clause 15. Protection of cultural sites	Approved without amendments
Clause 16. Private cultural sites	Approved without amendments
Clause 17. Admission of cultural sites	Approved with amendments
Clause 18. Notice board at a site	Approved without amendments
Clause 19. Conditions of entry	Approved without amendments
Clause 20. Register of cultural articles and sites	Approved without amendments
Clause 21. Grant of short term custody	Approved without amendments
Clause 22. Offences	Approved with amendments
Clause 23. Power to issue permit	Approved with amendments
Clause 24. Declaration of National cultural article, activity or site	Approved without amendments
Clause 25. Protection from personal liability	Approved with amendments
Clause 26. Regulations	Approved without amendments
Clause 27. Powers of entry by police officer or authorized officer	Approved with amendments
Clause 28. General Penalty	Approved without amendments
Clause 2. Interpretations	Approved with amendments
Clause 1. Short title	Approved without amendments

Mover: Hon. Jack Kawa that the House does agree with the Committee in the said report

Question put. And AGREED TO.

HOUSE ROSE - at 3:26 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 2nd March, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 2ND MARCH, 2023 AT 2:30P.M.

1. The County Assembly assembled at 2:32 P.M.

2. The proceedings were opened with prayer

3. **Presiding: Speaker** (Hon. Emmanuel Situma)

4. **COMMUNICATION FROM THE CHAIR**

Hon. Speaker reminded members on dress cord while they are in the House which they should observe always.

5. **PAPERS**

The following Paper was laid by Hon Violet Makhanu:

Report of the sectoral committee of Youth and Sports on the status of Stadia in Bungoma County.

6. **NOTICES OF MOTION**

The following notice of motion was issued by Hon. Violet Makhanu

THAT, the House adopts the report by the Sectoral Committee on Youth Affairs and Sports on the status of Stadia in Bungoma County.

7. **STATEMENTS**

Pursuant to the provisions of Standing Order 47 (2)(a) the following statement was issued;

A Statement informing the County Assembly of the Weekly Business Coming before the House from Tuesday 7th-Thursday 9th March, 2023.

Statement issued by Hon. Stephen Wamalwa

8. **MOTIONS**

The following motions were moved that, the House adopts the report by Implementation Committee on the implementation status of the Bungoma County Industrialization and Bungoma County Drilling Rig Policies.

Moved by Hon. Jacob Psero

Seconded by Hon. Jacob Mukoyandali

Question proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**

9. BILLS

THE BUNGOMA COUNTY CULTURAL HERITAGE BILL, 2022

A Bill of an Act of the County Assembly of Bungoma to promote and protect culture and cultural heritage in the County and for connected purposes.

Moved by Hon. Jack Kawa

Seconded by Hon. Ken Wanyama

Question proposed

Question put and **AGREED TO**

The Bill was read for the third time

Bill to be forwarded for assent by the GOVERNOR

HOUSE ROSE - at 4:35 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 7th March, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 7TH MARCH, 2023 AT 2:30P.M

1. The County Assembly assembled at 2:31 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed to the House communication from the County Secretary on the persons that had been appointed as the Liaison Officers between the Assembly and the Executive. The officers were;

- 1) Japheth Maritani Kangale ID NO. 20095054
- 2) Hon. Peter Cherui Ndiema ID NO. 20023605
- 3) Ben Namaswa Wafula ID NO. 9360620

5. PAPERS

The following papers were laid;

- I. Report by Powers and Privileges Committee on conduct that constitutes breach of County Assembly Privileges.

Laid by Hon. Brigit Katasi, Chairperson, Powers and Privileges Committee

- II. Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Government Finance Bill, 2022

Laid by Hon. James Mukhongo, Chairperson, Sectoral Committee on Finance and Economic Planning

6. NOTICES OF MOTIONS

The following notices of motion were issued;

- I. THAT, Pursuant to the provisions of Standing Order 58; Sections 57 and 58 of the County Governments, Act 2012 this House approves the Appointment of Members of the Selection Panel to fill the vacancy of a member to the County Public Service Board.

Issued by Hon. Joseph Nyongesa, Leader of Majority

II. That, Report by Powers and Privileges Committee on conduct that constitutes breach of County Assembly Privileges.

Issued by Hon. Brigit Katasi and directed that the report be circulated to Hon. Members

III. That, the House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Government Finance Bill, 2022

Issued by Hon. James Mukhongo

7. STATEMENTS

The following statement was sought by Hon. Alfred Mukhanya Pursuant to the provisions of Standing Order 47 (2) (c);

A Statement sought from the Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development on the environmental and health menace being experienced by the residence of Ndivisi Ward living close to Makemo dam.

It was directed that the Committee avail its report the statement on 28th March, 2023

8. MOTION

THAT, the House adopts the Report by the Sectoral Committee on Youth Affairs and Sports on the status of Stadia in Bungoma County

Mover: Hon. Violet Makhanu

Seconded: Hon. Allan Nyongesa

Question proposed

Debate arise

Motion pursuant to SO 64 (a) that recommendation no. 2 on Mbakalo Stadium be amended to read from the documents submitted, the contractor should not be paid until the work is complete since he has not been paid.'

Question Proposed

Debate arise

Mover called to reply

Question put and AGREED TOO

Mover called to replied

Question put and **AGREED TO.**

HOUSE ROSE - at 4: 08P.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 8th March, 2023 at 9:30a.m*



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 8TH MARCH, 2023 AT 9.30 A.M.

1. The County Assembly assembled at 9.35 A.M.
2. The proceedings were opened with prayer
3. **Presiding: Deputy Speaker** (Hon. Stephen Wamalwa)
4. **PAPERS**

The following papers were laid on the table of the House Laid by Hon. George Tendet

- a) Report of the Auditor General on the Covid-19 vaccine rollout for the Bungoma County Government by the Public Accounts and Investment Committee
- b) Report of the Auditor General on the Bungoma County Assembly, car loan and mortgage scheme fund (Members of the County Assembly) for the year ended 30th June, 2021
- c) Special Audit Report of the Auditor General on the public participation in the County Budget Making process for the FY 2021/2022
- d) Report of the Auditor General on the Bungoma County persons with disability empowerment fund for the year ended 30th June, 2021

Laid by Hon. James Mukhongo and committed to the Public Accounts and Investment Committee

5. NOTICES OF MOTION

The following notice of motion was issued by Hon. George Tendet

THAT, the House adopts the Report of the Auditor General on the Covid-19 vaccine roll out for the Bungoma County Government by the Public Accounts and Investment Committee.

6. STATEMENTS

The following statements were sought Pursuant to the provisions of Standing Order 47 (2) (c)

- i. Hon. Jack Kawa sought a statement from the Chairperson, Sectoral Committee on Public Administration and ICT in relation to the incomplete construction of Bokoli ward office in the FY 2015/2016
Response expected on 22nd March, 2023 at 9:30 a.m.
- ii. The Hon. Anthony Lusenaka sought a statement from the Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources on the extension of NZOWASCO water pipeline from Makotelo to Namirembe
Response expected on 22nd March, 2023 at 2:30 p.m

7. MOTION

THAT, pursuant to the provisions of Standing Order 58; Sections 57 and 58 of the County Governments Act, 2012, the House approves the appointment of the following members of the selection panel to fill the vacancy of a member to the County Public Service Board.

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

Mover: Hon. James Mukhongo

Seconder: Hon. Sudi Busolo

Question proposed:

Debate arising

Mover called to reply

Question put and **AGREED TO.**

Resolved accordingly and the Deputy Speaker directed that communication be made to the Relevant Department.

8. BILLS

The following Bill was read for the second time

THE BUNGOMA COUNTY GOVERNMENT FINANCE BILL, 2022

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

Proposed by: Hon. James Mukhongo

Seconded by: Hon. Francis Chemion

9. COMMITTEE OF THE WHOLE HOUSE

THE BUNGOMA COUNTY GOVERNMENT FINANCE BILL, 2022

In the Committee

Chairperson: Hon. Benjamin Otsiula

The Chairperson, Sectoral Committee on Finance and Economic Planning Hon. James Mukhongo moved the following amendments to the Bungoma County Finance Bill, 2022 at the Committee Stage Pursuant to Sanding Order 145;-

- (a) Clauses as printed: None
- (b) New clauses : none
- (c) Schedules:

First Schedule: Finance and Economic Planning.

Question proposed

Amendments moved by Hon. James Mukhongo

1. That the First Schedule be amended by deleting the entire item of code 1-1001 on dishonored cheques from the Bill.
2. That Item code number 1-1005 failure by an officer to identify himself/herself be with amended to read as:

Description of fee or Charge	Unit of measure	Proposed charges 2022	Committee recommended charges
Penalty	per instance	500	1000

3. That Item code 1-1006 by clamping a vehicle without a notice and contact details be approved with amendments to read:

Description of fee or Charge	Unit of measure	Proposed charges 2022	Committee recommended charges
Penalty	per instance	500	1000

Question proposed that the schedule be amended as proposed

No debate

Question put and **AGREED TO**

Question proposed that schedule as amended be part of the Bill

No debate

Question put and **AGREED TO**

Second Schedule: Agriculture, Livestock, Veterinary and Fisheries

Question proposed

No debate

Question put and **AGREED TO**

The Second Schedule approved without amendments

Third Schedule: Environment, Water and Natural Resources

Question Proposed

Amendments moved by Hon. James Mukhongo

1. That the Third Schedule be approved with amendments by deleting the word –kilometer –and replacing therefor the word –Kilogramsll on item code 1-2801-2802 on the unit of measure.
2. That Item code 1-2901 on small private solid waste management collectors (youth, women and PWD) and item code 1-2902 on commercial/ large waste collectors be amended by inserting:

	Description of fee or Charge	Unit of measure	Proposed	Committee
			charges 2022	recommended charges
i)	Small waste collectors	per annum	6,000	3,000
ii)	Large waste collectors	per annum	20,000	40,000

3. That Item Code 1- 2536, on quarrying permit be amended by categorizing the permits as large and small companies and create a code for small companies as code 1-2537 and renumber codes own ward.
4. That Item codes 1- 2537, 1-2538 and 1- 2539 under column unit of measure be amended by introducing new column to charge the fee quarterly.

Question proposed that the schedule be amended as proposed

No debate

Question put and **AGREED TO**

Question proposed that schedule as amended be part of the Bill

No debate

Question put and **AGREED TO**

Fourth Schedule: Public Health and Sanitation

Question proposed

No debate

Question put and AGREED TO

The Fourth Schedule approved without amendments

Fifth Schedule: Education, Culture, Youth and Social Services

Question Proposed

Amendments moved by Hon. James Mukhongo

That the Fifth Schedule be approved with amendments on *item number 1-4015 on Registration of community based organization be amended by:*

Description of fee or Charge	Unit of measure	Proposed charges 2022	Committee recommended charges
Registration	per certificate	5,000	3,000

Question proposed that the schedule be amended as proposed

No debate

Question put and AGREED TO

Question proposed that schedule as amended be part of the Bill

No debate

Question put and AGREED TO

Sixth Schedule: Lands, Urban and Physical Planning (County rating)

Question proposed

No debate

Question put and AGREED TO

The Sixth Schedule approved without amendments

Seventh Schedule: Lands, Urban and Physical Planning (Building plans approval)

Question proposed

No debate

Question put and AGREED TO

The Seventh Schedule approved without amendments

Eighth Schedule: Housing and Sanitation

Question proposed

No debate

Question put and AGREED TO

The Eighth Schedule approved without amendments

Ninth Schedule: Lands, Urban and Physical Planning

Question proposed

No debate

Question put and AGREED TO

The Ninth Schedule approved without amendments

Tenth Schedule: Roads, Public Works and Transport

Question proposed

No debate

Question put and AGREED TO

The Tenth Schedule approved without amendments

Eleventh Schedule: Roads, Public Works and Transport

Question proposed

Amendment moved by Hon. James Mukhongo

That the Eleventh Schedule be approved with amendments by deleting the item code 1-6612 on parking motorbikes from the Bill

Question proposed that the schedule be amended as proposed

No debate

Question put and AGREED TO

Question proposed that schedule as amended be part of the Bill

No debate

Question put and AGREED TO

Twelfth Schedule: Trade, Energy and Industrialization

Question proposed

No debate

Question put and AGREED TO

The Twelfth Schedule approved without amendments

Thirteenth Schedule: Trade, Energy and Industrialization

Question proposed

No debate

Question put and AGREED TO

The Thirteenth Schedule approved without amendments

Fourteenth Schedule: Trade, Energy & Industrialization

Question proposed

No debate

Question put and AGREED TO

The Fourteenth Schedule approved without amendments

Fifteenth Schedule: Trade, Energy & Industrialization

Question proposed

No debate

Question put and AGREED TO

The Fifteenth Schedule approved without amendments

Sixteenth Schedule: Trade, Energy & Industrialization

Question proposed

No debate

Question put and AGREED TO

The Sixteenth Schedule approved without amendments

INTERPRETATION:

Question proposed

No debate

Question put and AGREED TO

The interpretation approved without amendments Mover: Hon James Mukhongo

Question put and AGREED TO

LONG TITLE:

Question proposed

No debate

Question put and AGREED TO

The Long Title approved without amendments.

THE CLAUSES PROVIDING FOR THE CITATION OF THE BILL AND THE
COMMENCEMENT DATE: be approved without amendments

Question proposed

No debate

Question put and AGREED TO

Pursuant to Standing Order 148, Report of the Committee of the Whole House

Mover: Hon. James Mukhongo
Seconder: Hon. Francis Chemion
Question proposed
No debate
Question put and AGREED TO

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

(The Chairperson, Committee of the Whole House Hon. Benjamin Otsiula)

Mr. Speaker sir, I rise pursuant to Standing Order No. 147 to report the resolutions of the Committee of the Whole House on The Bungoma County Finance Bill, 2022 (Bungoma County Bill No. 5 of 2022)

- (a) Clauses as printed: None
- (b) New clauses : none
- (c) Schedules:

First Schedule: Finance and Economic Planning.

That the First Schedule was approved with amendments

Second Schedule: Agriculture, Livestock, Veterinary and Fisheries

That the Second Schedule was approved without amendments

Third Schedule: Environment, Water and Natural Resources

That the Third Schedule was approved with amendments

Fourth Schedule: Public Health and Sanitation

That the Fourth Schedule was approved without amendments

Fifth Schedule: Education, Culture, Youth and Social Services

That the Fifth Schedule was approved with amendments

Sixth Schedule: Lands, Urban and Physical Planning (County rating)

That the Sixth Schedule was approved without amendments

Seventh Schedule: Lands, Urban and Physical Planning (Building plans approval)

That the Seventh Schedule was approved without amendments

Eighth Schedule: Housing and Sanitation

That the Eighth Schedule was approved without amendments

Ninth Schedule: Lands, Urban and Physical Planning

That the Ninth Schedule was approved without amendments

Tenth Schedule: Roads, Public Works and Transport

That the Tenth Schedule was approved without amendments

Eleventh Schedule: Roads, Public Works and Transport

That the Eleventh Schedule was approved with amendments

Twelfth Schedule: Trade, Energy and Industrialization

That the Twelfth Schedule was approved without amendments

Thirteenth Schedule: Trade, Energy and Industrialization

That the Thirteenth Schedule was approved without amendments

Fourteenth Schedule: Trade, Energy & Industrialization

That the Fourteenth Schedule was approved without amendments

Fifteenth Schedule: Trade, Energy & Industrialization

That the Fifteenth Schedule was approved without amendments

Sixteenth Schedule: Trade, Energy & Industrialization

That the Sixteenth Schedule was approved without amendments

INTERPRETATION:

That the interpretation was approved without amendments

LONG TITLE:

That the Long Title was approved without amendments.

THE CLAUSES PROVIDING FOR THE CITATION OF THE BILL AND THE
COMMENCEMENT DATE: was approved without amendments

Motion made and Question proposed;

THAT, the House do agree with the Committee in the said report.

Mover: Hon. James Mukhongo

Seconder: Hon. Francis Chemion

Question Put and AGREED TO: THAT, the Bungoma County Government
Finance Bill, 2022 be read a third time on Wednesday 8th March at 2:30 p.m.

HOUSE ROSE – 11:00 A.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 8th March, 2023 at 2:30 p.m.*

-x-



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 8TH MARCH, 2023 AT 2.30 P.M.

1. The County Assembly assembled at 2.41 P.M.
2. *The proceedings were opened with prayer*
3. **Presiding Speaker** (Hon. Stephen Wamalwa)
4. **PAPERS**

The following paper was laid;

Report by the Sectoral Committee on Education and Vocational Training on the fact finding visit on the status of ECDE centres for the financial years 2017/2018 and 2018/2019.

Laid by Hon. Benjamin Otsiula

5. NOTICES OF MOTION

The following notice of motion was issued;

THAT, the House Report by the Sectoral Committee on Education and Vocational Training on the fact finding visit on the status of ECDE centres for the financial years 2017/2018 and 2018/2019.

Issued by Hon. Benjamin Otsiula

6. STATEMENTS

- I. Pursuant to the provisions of Standing Order 47 (2) (c), The following statement was sought;

Hon. Anthony Lusenaka sought a statement from the Chairperson, Sectoral Committee on Public Administration and ICT on the construction of ward offices in Bukembe West ward.

Response expected on 29th March, 2023

- II. Pursuant to the provisions of Standing Order 47 (2) (c)

Hon. Jack Wambulwa sought a statement from the Chairperson, Sectoral Committee on Finance and Economic Planning on the remittance of CESS to the County.

Response expected on 5th April, 2023

7. MOTION

The following motion was not moved, that, the House adopts the Report by Powers and Privileges Committee on conduct that constitutes breach of County Assembly privileges.

Debate deferred to a later date for lack of quorum. Taken back to the House Business Committee for reallocation.

8. BILLS

The following Bill was read for the third time;

THE BUNGOMA COUNTY GOVERNMENT FINANCE BILL, 2022

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

HOUSE ROSE - 15.15 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 9th March, 2023 at 2:30 p.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 9TH MARCH, 2023 AT 2:30 P.M

1. The County Assembly assembled at 2:35 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Christine Mukhongo)
4. **PAPERS**

The following paper was laid;

Report by Sectoral Committee on Health Services on the Fact Finding activity on the Status of collection and usage of own generated revenue on development projects in respect to the Department of Health and Sanitation.

Laid by *Hon. Jerusa Aleu; Vice Chairperson, Health Services Committee*

5. **NOTICES OF MOTIONS**

The following notice of motion was issued;

That, the House adopts the report by the Sectoral Committee on Health Services on the Fact Finding activity on the Status of collection and usage of own generated revenue on development projects in respect to the Department of Health and Sanitation.

Issued by Hon. Jerusa Aleu

6. **STATEMENTS**

Pursuant to the provisions of Standing Order 47 (2) (a) and (c), the following statements were sought;

- I. A statement informing the County Assembly of the Weekly Business before the House from Tuesday 14th to Thursday 16th March, 2023.

Issued by Hon. Johnston Ipara

- II. A Statement sought from the Chairperson, Sectoral Committee on Education and Vocational Training on the status of Muyayi Vocational Training Center

Issued by Hon. John Kennedy Wanyama

7. **MOTION**

The following motion was moved, THAT, the House adopts the Report by the Sectoral Committee on Education and Vocational Training on the fact finding visit on the status of ECDE centers for the financial years 2017/2028 and 2018/2019.

Mover: Hon. Benjamin Otsiula

Seconder: Hon. Allan Nyongesa

Question proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**

Motion adopted

HOUSE ROSE - at 4: 10P.M.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 14th March, 2023 at 2:30P.M*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 14TH MARCH, 2023 AT 2:30 P.M

1. The County Assembly assembled at 2:35 P.M
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon Emmanuel Situma)
4. **PAPERS**

The following papers were laid;

- i. The Bungoma County Public Service Board Annual Report of the Year, 2022.

Laid by Hon Joseph Nyongesa; Majority Leader

- ii. Report by Public Accounts and Investment Committee on the Auditor General's Report on the Staff Car and Mortgage Fund FY 2018/19 and FY 2020/21.

Laid by Hon George Tendet

5. NOTICES OF MOTION

The following notice of motion was issued by Hon. George Tendet

That, the House Adopts Report by Public Accounts and Investment Committee on the Auditor General's Report on the Staff Car and Mortgage Fund FY 2018/19 and FY 2020/21.

6. STATEMENTS

Pursuant to the provisions of SO 47 (2) (c), the following statement was sought; A Statement sought from the Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the Implementation of CEF projects in Kimaeti Ward in the FY 2019/20, 2020/21, and 2021/22.

Sought by Hon. Jack Wambulwa and response expected on Thursday 30th March 2023

7. MOTIONS

The following motion was moved, **THAT**, the House adopts the report by Sectoral Committee Health on the fact-finding activity on the status of the

collection and usage of generated revenue on the development projects in respect to the Department of Health and Sanitation

Mover: Hon. Maurine Katila

Seconder: Hon. Job Mukoyandali

Debate arising

Motion replied to

Question Put and **AGREED TO**

HOUSE ROSE- at 4:55PM

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 15th March 2023, at 9:30 A.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 15TH MARCH, 2023 AT 9:30A.M.

1. The County Assembly assembled at 9:32 A.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **Papers**

The following paper was laid;

Report by Budget and Appropriations Committee on the Bungoma County Fiscal Strategy Paper FY 2023/2024.

Laid by Hon. Jack Wambulwa; Chairperson Budget and Appropriations Committee

5. **Notices of motion**

The following notice of motion was issued by Hon. Jack Wambulwa

THAT, the House adopts the report by Budget and Appropriations Committee on the Bungoma County Fiscal Strategy Paper FY 2023/2024.

6. **Statements**

The following statement was sought pursuant to the provisions of Standing Order 47 (2) (c)

A statement sought by Hon. Antony Lusenaka from the Chairperson, sectoral Committee on Roads, Transport, Infrastructure and Public works on the construction of Lumoro-Namirembe road.

Response to be availed on 30th March, 2023

7. **Motions**

THAT, the House adopts the report by Public Accounts and Investment Committee on the Auditor General's Report on the Covid -19 Vaccine Roll out for Bungoma County Government.

Mover: Hon. George Tendeti

Seconder: by Hon. John k Wanyama

Motion proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**

HOUSE ROSE - at 10.50am

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 15th March, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 15TH MARCH, 2023 AT 2:30P.M.

1. The County Assembly assembled at 2:38 P.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **PAPERS**

The following paper was laid;

Report by Sectoral Committee on Tourism, Water, Environment and Natural Resources on the status of KOICA 1 and 11 projects in Bungoma County.

Laid by Hon. Edwin Opwora

5. **NOTICES OF MOTION**

The following notices motion were issued;

1. **That** the House Resolves to Establish an Ad-Hoc Committee to consider the task force Reports on Human Resources and staff establishments, Scholarship and Pending bills in Bungoma County and table a report to the House within 30 days.

Notice Issued by Hon. Joseph Nyongesa

2. **That** the House adopts the Report by Sectoral Committee on Tourism, Water, Environment and Natural Resources on the status of Koica 1 and 11 water projects in Bungoma County.

Notice Issued by Hon. Luke Opwora.

6. **MOTIONS**

The following motions were moved;

- I. **That**, the House Resolves to establish an Ad-Hoc Committee comprising of the under s listed Members to consider the task force reports and table a report to this House within 30 days.

Hon. Tonny Barasa

Hon. Hentry Nyongesa

Hon. Benard Kikechi

Hon. James Barasa

Hon. Benjamin Otsiula

Hon. Jack Wambulwa

Hon. Joan Kirong
Hon. Violet Makhanu
Hon. Everton Nganga
Hon. Job Mukoyandali
Hon. Milliah Masungu
Mover: Hon. Joseph Nyongesa.
Seconder: Hon. Lusenaka
Question Proposed
Debate Arose

Question Put and **AGREED TO.**

- II. **That**, the House approves that , the County Government Executive enters an agreement with the Kenya Commercial Bank for the year 2023, for the purposes of overdraft facility(short term borrowing) to cater for the early processing of the net salary only, for its staff in case of delays of the exchequer release from the National Treasury.

Motion Moved By: Hon. Joseph Nyongesa
Motion Seconded By: Hon. Anthony Lusenaka
Question Proposed
Debate Arose

Question Put and **AGREED TO.**

- III. **That**, the House adopts the report by Budget and Appropriations Committee on the Bungoma County Fiscal Strategy Paper FY 2023/2024. Hon. Tonny Barasa, moved a motion without notice pursuant to Standing Order 64(i) for postponement of Motion because Members had not read and understood the report for proper deliberation over it before it is adopted.

Seconded By: Hon. Aggrey Mulongo
Question Proposed
Debate Arose

Question put and **AGREED TO.**

Motion was adjourned to 16th March 2023 at 2:30 pm

HOUSE ROSE - at 4:20 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 16th March, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 16TH MARCH, 2023 AT 2:30 P.M

1. The County Assembly Assembled at 2:31 p.m
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **PAPERS**

The following papers were laid by Hon. Joseph Nyongesa, Leader of the Majority Party

- (i) Taskforce Report on Scholarship Audit of the County Government of Bungoma, October, 2022
- (ii) Taskforce Report on Pending Bills Audit of the County Government of Bungoma, October, 2022
- (iii) Taskforce Report on Human Resource Audit of the County Government of Bungoma, October, 2022

Committed to Ad hoc Committee

- (iv) The following paper was laid By Hon. Francis Chemion, Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the Assessment of Implementation status of Kimilili and Bungoma Municipalities since inception.

5. NOTICES OF MOTION

The following notice of motion was issued by Hon. Francis Chemion

THAT, the House adopts the Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the Assessment of Implementation status of Kimilili and Bungoma Municipalities since inception.

6. MOTIONS

- I. The following motion resumed after interruption business S.O35 that, the House adopts the report by Budget and Appropriations Committee on the Bungoma County Fiscal Strategy Paper FY 2023/2024

Mover: Hon Caleb Wanjala

Second: Hon Jack Wambulwa

Debate arising

Motion without notice pursuant to Standing Order 109; Limitation of Debate.

Mover: Hon Milliah Masungu

Second: Hon Vitalis Wangila

Debate rose

Question Put and motion **AGREED TO**

Motion without notice pursuant to Standing Order 33 (3) (a); to extend its sitting time

Mover: Hon. Stephen Wamalwa

Second: Hon Joan Kirong'

Question Put and motion **AGREED TO**

Motion without notice pursuant to Standing Order 66 (1) Proposed Amendments to the County Fiscal Strategy Paper 2023

Mover: Hon Vitalis Wangila

Second: Hon. Joseph Nyongesa

Debate ensued

Motion replied to

Question Put and **MOTION DECLINED**

Motion replied to

Question Put on the ceilings and **AGREED TO**

THAT, the House adopts the Report by Sectoral Committee on Tourism, Water, Environment and Natural Resources on the status of Koica 1 and 11 projects in Bungoma County. *(Chairperson, Sectoral Committee on Tourism, Water, Environment and Natural Resources)*

MOTION WITHIN A MOTION PURSUANT TO STANDING ORDER 64 (B)

AND (L) MOTION WITHOUT NOTICE; MOTION OF ADJOURNMENT

Mover: Hon Stephen Wamalwa

Second: Hon. Meshack Wekesa

Debate ensued

Motion replied to

Question Put and **AGREED TO**

HOUSE ROSE - at 6:50P.M

MEMORANDUM

The Speaker will take the Chair on

Tuesday 28th March, 2023 at 2:30 P.M.



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 28TH MARCH, 2023 AT 2:30 P.M

1. The County Assembly assembled at 2:30 P.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel M. Situma)
4. **PAPERS**

The following paper was laid;

Report by the Sectoral Committee on Youth Affairs and Sports on the Implementation Status of Bungoma County Youth Fund.

Paper laid by Hon Caleb Wanjala

5. **NOTICES OF MOTION**

The following notice of motion was issued;

That, the House adopts the Report by the Sectoral Committee on Youth Affairs and Sports on the Implementation Status of Bungoma County Youth Fund.

Notice issued by Hon. Caleb Wanjala

6. **STATEMENTS**

Pursuant to the provisions of Standing Order 47 (2) (a) the following statement was issued;

A statement informing the County Assembly of the Weekly Business coming before the House from today Tuesday 28th – Thursday 30th April, 2023.

Statement issued by Hon. Johnston Ipara

7. **MOTION**

The following motion was moved that, the House adopts the Report by Powers and Privileges Committee on conduct that constitutes breach of County Assembly Privileges.

Motion Moved by Hon. Tony Barasa.

Seconder: Hon. Miliah Masungu.

Question proposed

Debate arose

Mover called to reply
Question put and **AGREED TO**,
Motion adopted.

HOUSE ROSE - at 3:35 P.M

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 29th March, 2023 at 9:30 p.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 29TH MARCH, 2023 AT 9.30 A.M

1. The County Assembly assembled at 9:35 A.M

2. The proceedings were opened with prayer

3. Presiding Speaker: (Hon Stephen Wamalwa)

4. COMMUNICATION FROM THE CHAIR

The presiding Speaker informed Hon. Members that Hon. Speaker was attending CASB meeting and also hoped that they were re-energized after the short recess.

5. PAPERS

The following paper was laid by Hon. Metrine Nangila;

Report by the committee on Justice, Cohesion and Legal affairs on the status of pending cases in Bungoma County.

6. NOTICES OF MOTION

The following Notice of motion was issued by Hon. Metrine Nangila

THAT, this House adopts the report by the sectoral committee on Justice, Cohesion and Legal Affairs on the status of pending cases in Bungoma County.

It was directed that the report be circulated to Hon. Members

7. MOTIONS

The following motion was moved, **THAT**, the House adopts the report by the Sectoral Committee on Tourism, Water, Environment and Natural Resources on the status of KOICA I and II projects in Bungoma County.

Motion moved by: Hon. Dorcas Ndasaba

Seconded by: Hon. Florence Juma

Question proposed

Debate arising

Mover called to reply

Question put and **AGREED TO**

Report adopted

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 29th March, 2023 at 2:30 p.m.*



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 29TH MARCH, 2023 AT 2:30P.M.

1. The County Assembly assembled at 2:34 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **PAPERS**

The following paper was laid by Hon. Catherine Kituyi

Report by the Sectoral Committee on Labour Relations, Members Services and Facilities on the Bungoma County Public Service Board Annual Report of the year, 2022

5. **NOTICES OF MOTIONS**

The following notice of motion was issued by Hon. Catherine Kituyi;

That, the House adopts the report by the Sectoral Committee on Labour Relations, Members Services and Facilities on the Bungoma County Public Service Board Annual Report of the year, 2022

It was directed that the report be circulated to Hon. Members

6. **MOTION**

The following motion was moved, THAT, the House adopts the report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the Assessment of Implementation status of Kimilili and Bungoma Municipalities since inception.

Mover: Hon. Francis Chemion

Seconder: Hon. Linda Kharaka

Question Proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**

Report adopted

HOUSE ROSE - at 4:30 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 30th March, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 30TH MARCH, 2023 AT 2:30P.M.

1. The County Assembly assembled at 2:30 P.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (*Hon. Emmanuel Situma*)
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following information;

- I. The Department of Trade Energy and Industrialization was doing data validation and reconciliation of all the loan accounts for beneficiaries following the controller of budget and the Auditor General Reports on the accuracy of the Trade Loan Fund Portolio.it was a request to the Fund Administrator together with all ward Administrator to carry out the exercise and coordinate all activities in full knowledge of the elected leaders at ward level with the support of the village Administrators and credit officers to ensure the exercise runs smoothly within the shorts time possible.

It was directed to table clerk to send the same commination to all Hon. Members.

- II. In the public gallery there were students from St Joseph Nalondo Girls with their teachers who are in learning visit.

5. PAPERS

The following papers were laid by Hon. Joseph Nyongesa, Leader of Majority

- (i) Report from the office of the Auditor General on the County Executive of Bungoma for the year ended 30th June, 2022. Committed to committee of PAIC
- (j) The County Assembly Service Board Annual Report for the period January 2021 December 2022. Committed to committee of labour.

6. STATEMENTS

- I. Pursuant to the provisions of standing Order 47(2)(a)the following statement was issued;

A Statement informing the County Assembly of the Weekly Business coming before the House from Tuesday 4th Thursday 6th April, 2023.

Statement issued by Hon. Anthony Luseneka.

- II.** Hon. Members gave statements of encouragement and brief comments to students from St Joseph Nalondo girls who were in public gallery.

7. MOTIONS

The following motion was moved,

THAT, the House adopts the Report by the Committee on Justice, Cohesion and Legal Affairs on the status of pending cases in Bungoma County.

Moved by Hon. Metrine Wilson

Seconded by Hon. Benjamin Otsiula

Motion proposed

Debate arose

Mover called to reply

Question proposed

Question put and **AGREED TO**

Motion Adopted

HOUSE ROSE - at 4:45 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 4th April, 2023 at 2:30P.M.*

-x



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 4TH APRIL, 2023 AT 2.30 P.M

1. The County Assembly assembled at 2.33P.M
2. The proceedings were opened with prayer
3. **Presiding Speaker:** (Hon. Emmanuel Situma)
4. **COMMUNICATION FROM THE CHAIR**

The Chairperson conveyed to the House the invitation from His Excellency the Governor; Hon. Kenneth Lusaka to the prayer breakfast on 10th April, 2023 at Kibabi University.

He further acknowledged the presence of teachers and students from Bethesda Girls High Schools in the public gallery.

5. PAPERS

The following papers were laid;

- I. Report of the Auditor- General on the County Assembly of Bungoma for the year ended 30th June, 2022.
Laid by Hon. Joseph Nyongesa and committed to Public Accounts and Investments Committee
- II. Report by the Committee on Procedure and House Rules on the rules governing public hearings to meetings of Select Committees
Laid by Hon. Stephen Wamalwa

6. NOTICES OF MOTION

The following notice of motion was issued by Hon. Stephen Wamalwa;

THAT the House adopts the report by the Committee on Procedure and House Rules on the rules governing Public hearings to meetings of Select Committees.

7. STATEMENTS

The following responses were to be availed;

- I. Response from the County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development to a statement sought by Hon. Alfred Mukhanya in respect to environmental and health menace

being experienced by the residence of Ndivisi Ward living close to Makemo dam.

The CECM availed the response but it was non satisfactory. It was directed that Hon. Alfred Mukhanya, Hon. Violet Makhanu and the CECM visit the site for the CECM to give a comprehensive response.

II. Response from the County Executive Committee Member for Tourism, Environment, Water and Natural Resources to a statement sought by Hon. Anthony Lusenaka in relation to extension of NZOWASCO Water Pipeline from Makotelo to Namirembe.

The CECM availed the response but it was insufficient. It was directed that Hon. Anthony Lusenaka and the CECM to visit the site to establish its status then respond.

III. Response from the County Executive Committee Member for Public Service Management and Administration to a statement sought by Hon. Jack Kawa concerning the construction of Bokoli Ward Office.

The CECM availed the response and it was satisfactory

HOUSE ROSE- At 4.30 P.M

MEMORANDUM

The Speaker will take the Chair on

Wednesday 5th April, 2023 at 9:30 a.m.

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 5TH APRIL, 2023 AT 9:30 A.M.

1. The County Assembly assembled at 9:35 A.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (*Hon. Stephen Wamalwa*)
4. **COMMUNICATION FROM THE CHAIR**

The following communication was conveyed;

That the Honorable Emmanuel Situma Speaker of the County Assembly was away on official engagement.

5. **PAPERS**

The following paper was laid by *Hon. Polycarp Wandabusi*;

Report by the Sectoral Committee on Roads, Transport, Infrastructure and Public works on the Status of Construction of the Kanduyi - Sangálo Junction (C33) Road to Dual Carriageway contract no. BGM /CNTY /OT /184 /2018-2019.

6. **NOTICES OF MOTION**

The following notice of motion was issued by *Hon. Polycarp Wandabusi*;

THAT, the House adopts the report by the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the status of construction of the Kanduyi - Sangálo Junction (C33) Road to Dual Carriageway contract No. BGM /CNTY /OT /184 /2018-2019.

7. **MOTIONS**

The following motion was moved. That, the House adopts the Report by the Sectoral Committee on Labour Relations, Members Services and Facilities on the Bungoma County Public Service Board Annual report of the year 2022.

Mover: *Hon. Catherine Kituyi*

Seconded by: *Hon. Polycarp Wandabusi*

Motion proposed

Debate arose

Mover called to reply

Question proposed

Question put and **AGREED TO**

Motion Adopted

HOUSE ROSE - at 11:05 A.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 5th April 2023 at 2:30 P.M*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 5TH APRIL, 2023 AT 2:30 P.M.

1. The County Assembly assembled at 2:35 P.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (*Hon. Stephen Wamalwa*)
4. **PAPERS**

The following paper was laid by Hon. John Kennedy Wanyama;

Report by the Committee on Public Accounts and Investment on the reports of the auditor General for the Bungoma County Executive on the Disaster and Emergency Fund, 2021.

5. **NOTICES OF MOTION**

The following notice of motion was *issued by Hon. John Kennedy Wanyama*;

THAT, this House adopts the report by the Committee on Public Accounts and Investment on reports of the Auditor General for Bungoma County Executive on the Disaster and Emergency Fund, 2021.

6. **MOTIONS**

The following motion was moved;

THAT, the House adopts the Report by the Committee on Procedure and House Rules on the rules governing public access and public hearings and meetings of Select Committees.

Mover: Hon. Christine Mukhongo

Seconded: Hon. Cornelius Makhanu

Motion proposed

Debate arose

Mover called to reply

Question proposed

*Question put and **AGREED TO***

Motion Adopted

HOUSE ROSE - at 3:45 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 6th April 2023 at 2:30 P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 6TH APRIL, 2023 AT 2.30 P.M

1. The County Assembly assembled at 2.40 P.M
2. The proceedings were opened with prayer
3. **Presiding Speaker:** (Hon. Stephen Wamalwa)
4. **COMMUNICATION FROM THE CHAIR**

The presiding Speaker informed the House that the Hon. Speaker was away on official duty. He also acknowledged the presence of students from Dominion Training Institute in the Public Gallery

5. PAPERS

The following paper was laid by Hon. Jack Kawa;

Report by the Sectoral Committee on Gender, Culture and Social Welfare on the Status of Gender Based Violence cases in Bungoma County.

6. NOTICES OF MOTION

The following notice of motion was issued by Hon. Jack Kawa;

THAT the House adopts the report by the Sectoral Committee on Gender, Culture and Social Welfare on the status of Gender Based Violence cases in Bungoma County.

7. STATEMENTS

The following statement was issued by Hon. Johnston Ipara pursuant to the provisions of Standing Order 47 (2) (a);

A Statement informing the County Assembly of the Weekly Business Coming before the House from Tuesday 11th – Thursday 13th April, 2023.

8. MOTIONS

The following motion was moved;

THAT, the House adopts the report by the Sectoral Committee on Youth Affairs and Sports on the implementation status of Bungoma Youth County Fund.

Mover: Hon. Violet Makhanu

Seconder: Hon. Martin Chemorion

Question proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**

HOUSE ROSE - At 5:10P.M

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 11th April, 2023 at 2.30 p.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 11TH APRIL, 2023 AT 2.30 P.M

1. The County Assembly assembled at 2:32 P.M.
2. The proceedings were opened with prayer.
3. **Presiding Speaker:** (Hon. Emmanuel Situma) _____
4. **COMMUNICATION FROM THE CHAIR**

The Presiding Speaker acknowledged the presence of teachers and students from Kimilili Friends Girls Secondary School.

5. PAPERS

The following paper was laid by Hon. Jack Wambulwa;
Report by Budget and Appropriations Committee on the County Medium Term Debt Management Strategy Paper for FY 2023/2024-2025/2026.

6. NOTICES OF MOTION

The following notice of motion was issued by Hon. Jack Wambulwa;
That the House adopts the Report by Budget and Appropriations Committee on the County Medium Term Debt Management Strategy Paper for FY 2023/2024-2025/2026.

7. STATEMENTS

The following responses were to be issued;

I. Response from the County Executive Committee Member for Roads, Transport, Infrastructure and Public Works to a statement sought by Hon. Jack Wambulwa in respect to the implementation of CEF road projects in Kimaeti ward in the FY-2019/20, 2020/21 and 2021/22.

Response not availed, it was directed that the response be issued on Tuesday 18th April 2023 at 2:30p.m.

II. Response from the County Executive Committee Member for Roads, Transport, Infrastructure and Public Works to a statement sought by Hon Anthony Lusenaka in respect to the construction of Lumoro –Lutaso –

Namirembe road.

Response not availed, it was directed that the response be availed on Tuesday 18th April 2023 at 2:30p.m.

III. Response from the County Executive Committee Member for Public Administration and ICT to a statement sought by Hon. Anthony Lusenaka in relation to the construction of ward offices in Bukembe West Ward.

Response not availed, it was directed that the response be issued on Tuesday 18th April 2023 at 2:30p.m.

HOUSE ROSE - At 3:45 P.M

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 12th April, 2023 at 9.30 a.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 12TH APRIL, 2023 AT 9:30 A.M.

1. The County Assembly assembled at 9:31 A.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **PAPERS**

The following paper was laid by Hon. Jack Kawa;

Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Integrated Development Plan 2023-2027

5. **NOTICES OF MOTION**

The following notice of motion was issued by *Hon. Jack Kawa*;

That the House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Integrated Development Plan, 2023-2027.

6. **STATEMENTS**

The following statement was sought pursuant to Standing Order 47 (2) (c);-

A statement sought by Hon. Stephen Wamalwa from the Chairperson Sectoral Committee on Health Services in relation to the status of the construction of Misanga dispensary and Makutano Health Center in Soysambu/Mitua Ward.

The chairperson requested for fourteen days to avail the response but it was directed that the statement together with the invitation of the CECM be sent as soon as possible for the response be availed on Tuesday 25th April, 2023 at 2:30P.M.

7. **MOTIONS**

The following motion was moved;

That the House adopts the report by Budget and Appropriations Committee on the County Medium Term Debt Management Strategy Paper for FY 2023/2024-2025/2026

Motion moved by: Hon. Charles Nangulu

Seconded by: Hon. Grace Sundukwa

Question proposed

Debate arose

Mover called to respond

Question put and agreed to

HOUSE ROSE - at 10:47 A.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 12th April, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 12TH APRIL, 2023 AT 2:30 P.M.

1. The County Assembly assembled at 2:31 P.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **COMMUNICATION FROM THE CHAIR**

Hon Speaker informed the House that the following Hon. Members had been reinstated in their previous Committees

1. Hon Orize Kundu- Finance and Economic Planning
2. Hon Martin Chemorion- Tourism, Environment, Water and Natural Resources
3. Hon Abraham Obama- Gender, Culture and Social Welfare

5. **PAPERS**

The following report was laid by Hon. Johnston Ipara;

Report by the Committee on Sectoral on Lands, Urban, Physical Planning and Housing on the implementation status of Spatial Plans, Land Registry and GIS Laboratory in the County.

6. **NOTICES OF MOTION**

The following notice of motion was issued by Hon. Johnston Ipara;

THAT, the House adopts the report by the Committee on Sectoral on Lands, Urban, Physical Planning and Housing on the implementation status of Spatial Plans, Land Registry and GIS Laboratory in the County.

7. **MOTIONS**

The following motion was moved;

That the House adopts the Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Integrated Development Plan.

Motion mover: Hon. Vitalis Wangila

Seconder: Hon. Christine Mukhongo

Question proposed

Debate arose

Mover called to respond

Question put and **AGREED TO**

HOUSE ROSE - at 5:25 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Thursday 13th April, 2023 at 2:30P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 13TH APRIL, 2023 AT 2:30 P.M.

1. The County Assembly assembled at 2.32. P.M
2. *The proceedings were opened with prayer*
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following;

- I. The name of CECM Gender, Culture, Youth and Sports nominee Eng. Agnes Naliaka Wachie from his Excellency the Governor for vetting. The name committed to the Committee on Appointments for vetting and report to the House before it breaks for recess.
- II. Names of nominees for the positions Chief Officers forwarded by His Excellency the Governor for vetting by various Committees as follows:
 - (a) Nicholas Kiboi - Education and Vocational Training. Committed to the Committee on Education and Vocational Training for vetting and reporting to the House.
 - (b) Reuben Wambwa - Trade, Energy and Industrialization. Committed to Committee on Trade, Energy and Industrialization for vetting.
 - (c) Dr. Mayama Magrina Kilui - Health and Sanitation –forwarded to Committee on Health Services for vetting.
 - (d) Everly Teresa Wekesa- Public Service and Management –forwarded to Committee on Public Administration and ICT for vetting.
 - (e) Robert J Simiyu -Agriculture — Committed to the Committee on Agriculture Livestock, Fisheries, Irrigation and Cooperative Development for vetting.
 - (f) Beatrice Nakhumicha Wafula — Cooperative - forwarded to the committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.

The Committees chairpersons were required to submit their reports on

vetting to the House before it goes for recess on 5th June, 2023.

- III. The Speaker acknowledged the presence of students and teachers from St. Anthony Boys High School in the public gallery that had visited for learning purposes.

5. STATEMENTS

The following statement was issued by Hon. Joseph Nyongesa pursuant to the provisions of Standing Order 47(2) (a);

A Statement informing the House of the Weekly Business coming before it from Tuesday 20th April, 2023 to Thursday 22nd April, 2023.

6. MOTIONS

THAT, the House adopts the report by Public Accounts and Investment on the Auditor General's Report on the Staff Car and Mortgage Fund FY 2018/19 and FY 2020/21.

Motion Mover: Hon. Ken Wanyama

Motion Seconder: Hon. George Kwemoi

Question proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**

HOUSE ROSE - at 4:20 P.M.

MEMORANDUM

The Speaker will take the Chair on
Tuesday 18th April, 2023 at 2:30 p.m.

-X-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 18TH APRIL, 2023 AT 2.30 P.M

1. The County Assembly assembled at 2:31 P.M.
2. The proceedings were opened with prayer.
3. **Presiding Speaker:** (*Hon. Emmanuel Situma*) _____
4. **COMMUNICATION FROM THE CHAIR**

In our public gallery there one hundred and eight primary pupils from Moi primary school who are candidates and accompanied by their teachers as part of their learning lesson and more pupils will be coming our subsequent sittings in the week.

5. **PETITIONS**

The report by the Joint committees of Justice, Cohesion and Legal Affairs and Sectoral Committee on Health on the Petitions by Kenya national union of Nurses (KNUN) Kenya national union of medical laboratory officers(KNUMLO)and Kenya Union of Clinical Officers (KUCO) was presented to the House *by Hon Metrine Wilson (Chairperson of Justice, Cohesion and Legal affairs) and the Clerk directed to convey the report to the Petitioner with 15 days.*

6. **NOTICES OF MOTION**

The following Notice of motion was issued by Hon. Jack Wambulwa
THAT this House adopts the Report by Budget and Appropriations Committee on the County Medium Term Debt Management Strategy Paper for FY 2023/2024-2025/2026.

Notice of motion issued by the Chairperson Committee on Budget and Appropriations

7. **STATEMENTS**

- I. Hon. Members gave their points of encouragement to pupils from Moi primary school in public gallery on matters of educations.

The following responses were to be issued:

Response from the County Executive Committee Member for Roads, Transport, Infrastructure and Public works to a statement sought by Hon. Jack Wambulwa and in respect to the implementation of CEF road projects in Kimaeti ward in the FY-2019/20, 2020/21 and 2021/22. *(County Executive Committee Member for Roads, Transport, Infrastructure and Public works)*
The CECM to response on Hon. Jack Wambulwa statement on 4th May, 2023 at 2:30pm

- II. Response from the County Executive Committee Member for Roads, Transport, Infrastructure and Public works to a statement sought by Hon Anthony Lusenaka in respect to the construction of Lumoro –Lutaso – Namirembe road.

(County Executive Committee Member for Roads, Transport, Infrastructure and Public works)

Response issued by CECM Roads, Transport, Infrastructure and Public Works was not sufficient and he will avail the response on BQs after recess

- III. Response from the County Executive Committee Member for Public Administration and ICT to a statement sought by Hon. Anthony Lusenaka in relation to the construction of ward offices in Bukembe West Ward. *(County Executive Committee Member for Public Administration and ICT)*

Response issued by CECM Public Administration and ICT was sufficient for Hon. Anthony Lusenaka.

HOUSE ROSE - At 4:23 P.M

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 19th April, 2023 at 9.30 a.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 19TH APRIL, 2023 AT 9:30 A.M

1. The County Assembly assembled at 9:30 A.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel M. Situma)
4. **PAPERS**

Report by the Sectoral Committee on Trade, Energy and industrialization on the status of Trade Loans in Bungoma County.

Paper laid by Hon. Ken Wanyama (Vice Chairperson of the Committee)

5. **NOTICES OF MOTION**

That, this House adopts the Report by the Sectoral Committee on Trade, Energy and industrialization on the status of Trade Loans in Bungoma County.

Notice issued by Hon. Ken Wanyama (Vice Chairperson of the Committee)

6. **MOTION**

That, this House adopts the Report by the Sectoral committee on Roads, Transport, Infrastructure and Public works on the status of construction of the Kanduyi-Sang'alo (C33) Road to Dual Carriageway contract No. BGM/CNTY/OT/184/2018-2019.

Motion Moved by Hon. Polycarp Kimeta Wandabusi (Vice Chairperson of the Committee)

Seconder: Hon. Frankline Simotwo (Chairperson of the committee)

Question proposed

Debate Arose

Mover called to reply

Question put and AGREED TO, Motion adopted.

HOUSE ROSE - at 11:35 A.M

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 19th April, 2023 at 2:30 p.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 19TH APRIL, 2023 AT 2:30 P.M

1. The County Assembly assembled at 2:32 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **COMMUNICATION FROM THE CHAIR**

The Chairperson conveyed the following;

- i. Rearranging of the order paper of the day by expunging order number 5 and order number 6.
- ii. Present in the public gallery are standard eight students from Moi primary school , Bungoma.

5. STATEMENTS

Hon. Members lauded teachers of Moi Primary school for the arrangement to bring students to observe and learn on how proceedings of the County Assembly are carried out.

Hon. Members encouraged students to work hard and wished them well in the forthcoming National exams.

6. MOTION

Report by the sectoral Committee on Gender, Culture and Social Welfare on the Status of Gender Based Violence cases in Bungoma County.

Report moved by the Chairperson, Hon. Jack Kawa

Seconder: Hon. Florence Juma

Debate arising

Mover called upon to reply

Question put and **AGREED TO**

HOUSE ROSE - at 4:37 PM

MEMORANDUM

The Speaker will take the Chair on

Thursday 20th April, 2023 at 2:30P.M



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 20TH APRIL, 2023 AT 2.30 P.M

1. The County Assembly assembled at 2:31 P.M.
2. The proceedings were opened with prayer.
3. **Presiding Speaker:** (Hon. Emmanuel Situma)
4. **COMMUNICATION FROM THE CHAIR**
 - I. The Chair used standing order one and S.O43 (2) to remove order NO. 8(i) on the order paper.
 - II. In the public gallery were one hundred and forty eight pupils and their four teacher from Moi primary school who have come to learn.
 - III. Hon. Members to keep off their phones away when the procession is coming in and during pray time to avoid being suspended from the house basing from S.O 120 and S.O 121.
 - IV. Tomorrow being a Holiday the pre-vetting exercise that was planned to take place will not occur, it was there for postponed to Monday.
 - V. Invitation to revenue enhancement of stakeholders for a consultative meeting by Hon. Members of County Assembly of Bungoma ,chief officer Public service, sub-county and ward administrator ,chief officer finance, sub-county and ward officers to the meeting to be held in Kamukinji hall 24th Monday 2023 at 9am from CECM Finance and Economic.

5. PAPERS

The following report was laid on the table of the House *by Hon. Mourine Katila (Vice Chairperson Committee on Implementation)*

Report by the Committee on Implementation on the status of adopted Public Accounts Committee report on the Auditor General's Report for financial year ending 30th June 2020.

6. NOTICES OF MOTION

THAT this House adopts the Report by the Committee on Implementation on the status of adopted Public Accounts Committee report on the Auditor General's

Report financial year ending 30th June 2020.

*Notice of motion was issued by Hon. Mourine Katila
(Vice Chairperson Committee on Implementation)*

7. STATEMENTS

Pursuant to the provision of standing Order (47) (2)(a)

- I. A statement informing the County Assembly of the weekly business coming before the House from Tuesday 25th –Thursday 27th April, 2023.
*Statement issued by Hon. Joseph Nyongesa
(Member of the House Business Committee)*
- II. *Hon. Member gave points of encouragement to pupils from Moi primary School to be discipline for them to achieve in education and in life*

8. MOTIONS

The following motion was moved THAT, this House adopts the Report by the Sectoral Committee on Land, urban, Physical Planning and Housing on the Implementation status of Spatial Plans, Land registry and GIS laboratory in the County.

Motion moved by Hon. Johnston Ipara (Member of the Committee)

Seconded by Hon. Linda Kharakha (Committee Vice chairperson)

Question proposed

Debate rose

Mover called to reply

*Question put and **AGREED TO***

HOUSE ROSE - At 4:50 P.M

MEMORANDUM

The Speaker will take the Chair

On Tuesday 25th April, 2023 at 2.30 p.m.

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 25TH APRIL, 2023 AT 2:30 P.M

1. The County Assembly assembled at 2:32 P.M.
2. The proceedings were opened with prayer.
3. **Presiding: Speaker** (Hon. Emmanuel Situma)
4. **STATEMENTS**

The following responses were to be availed;

- I. Response from the County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development to a statement sought by Hon. Alfred Mukhanya in respect to environment and health menace being experience by the residence of Ndivisi Ward living close to Makemo dam.
Response not availed and it was directed that summon be issued to the CECM to appear before the House on 4th May 2023.
- II. Response from the County Executive Committee Member for Tourism, Environment, Water and Natural Resources to a statements sought by Hon. Anthony Lusenaka in relation to extension of NZOWASCO Water Pipeline from Makotelo to Namirembe.
The CECM availed the response and the owner of the statement was satisfied with the CECM response.
- III. Response from the County Executive Committee Member for Education and Vocational Training to a statement sought by Hon John Kennedy Wanyama on the status of Muyayi Vocational Training Centre.
The CECM availed the response but the owner of the statement was not satisfied with the CECM response. It was directed that one statement to sought on the same issue of vocational training centers across all 45 wards.
- IV. Response from the County Executive Committee Member for Health and Sanitation to a statement sought by Hon. Stephen Wamalwa in respect to

the status of the construction of Misanga dispensary and Makutano health center in Soysambu/Mitua ward.

The CECM availed the response but it was insufficient.

It was directed that the CECM prepare a fresh response and respond to the House on Thursday 4th May 2023 at 2:30 p.m.

5. BILLS

The following bill was read for the first time;

THE BUNGOMA COUNTY REVENUE ADMINISTRATION AND MANAGEMENT (AMENDMENT) BILL (COUNTY ASSEMBLY BILL NO. 1 OF 2023)

Committed to the committee on Finance and Economic Planning

HOUSE ROSE_- at 3:32 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 26th April, 2023 at 9:30A.M*

-x



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 26TH APRIL, 2023 AT 9.30 A.M

1. The County Assembly assembled at 9:30 A.M.
2. The proceedings were opened with prayer
3. **Presiding: Speaker** (Hon. Emmanuel M. Situma)
4. **COMMUNICATION FROM THE CHAIR**

The Speaker communicates that Order No. 5 was to be handled immediately after Order No. 8.

5. PAPERS

The following papers were laid;

- I. Report of the County Assembly Service Board on the recruitment of female member of the County Assembly Service Board, March 2023.

Paper Laid by Hon. Joseph Nyongesa, Leader of Majority

- II. Report by the Sectoral Committee on Delegated County Legislation on familiarization on processing of statutory instruments.

Paper laid by Hon. Linda Kharakha

6. NOTICES OF MOTION

The following notices of motions were issued;

- I. That the House adopts the report by the Sectoral Committee on Delegated County Legislation on familiarization on processing of statutory instruments.

Notice of motion was issued by Hon. Linda Kharakha

- II. That the House adopts the report of the County Assembly Service Board on the recruitment of female member of the County Assembly Service Board, March 2023.

Notice of motion was issued by Hon. Joseph Nyongesa, Leader of Majority

7. MOTION

That, the House adopts the Report by the Sectoral Committee on Trade, Energy and Industrialization on the Status of Trade Loans in the County

Motion Mover: Hon. Johnstone Ipara

Seconder: Hon. Sheila Sifuma.

Question proposed

Debate arose

Mover called to reply

Question put and **AGREED TO**, Motion adopted.

8. BILLS

The following Bills were read for the first time;

- I. The Bungoma County Public Markets (Amendment) Bill (COUNTY ASSEMBLY BILL NO. 2 of 2023)

Committed to the Committee of Finance and Trade, Energy and Industrialization for processing and report back to the House

- II. The Bungoma County Cooperative Societies Bill (COUNTY ASSEMBLY BILL NO. 3 of 2023)

Committed to the Committee on Agriculture, Livestock, Fisheries and Cooperative Development.

HOUSE ROSE - at: 12.06 P.M

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 26th April, 2023 at 2:30 p.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 26TH APRIL, 2023 AT 2.30 P.M

1. The County Assembly assembled at 2:31 P.M.
2. The proceedings were opened with prayer.
3. **Presiding Speaker:** (Hon. Emmanuel Situma) _
4. **COMMUNICATION FROM THE CHAIR**

The following communication was made by;

- The Hon. Speaker directed that Order No. 8 (ii) on the order paper be referred back to the House Business Committee for further consultation.
- Invitation for the 5th Annual Legislative summit 2023 scheduled for 15th-17th May for reflection on 10 years of Devolution.

5. **STATEMENTS**

Pursuant to the provisions of Standing Order 47(2), the following statement was sought;

A Statement sought by Hon. Hentry Nyongasa from the Chairperson, Sectoral committee on Agriculture, Livestock, Fisheries and Co-operative Development in relation to the status on the operationalization of Agricultural CESS in Bungoma County.

Statement was issued by Hon. Anthony Luseneke on behalf of the owner of the statement but Speaker directed that the statement be done properly with the help of the Legal Department and be presented to the House again.

6. **MOTIONS**

The following motion was moved;

THAT the House adopts the report of County Assembly Service Board on the recruitment of the female member of the County Assembly Service Board, March 2023.

Motion mover: Hon. Joseph Nyongesa, Leader of Majority Seconded: Hon. Ali Machani, Member of the Board Question proposed

Debate arose

Mover called to reply

Question put and AGREED TO/motion adopted

7. **BILLS**

The following bills were read for the first time;

- I. THE BUNGOMA COUNTY WEIGHTS AND MEASURES BILL (COUNTY

ASSEMBLY BILL NO.4 OF 2023)

Committed to committee on Trade, Energy and Industrialization for processing.

II. THE BUNGOMA COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL BILL (COUNTY ASSEMBLY BILL NO.5 OF 2023)

Committed to the committee on Lands, Urban and physical planning.

HOUSE ROSE - at 3:58 P.M

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 2nd May, 2023 at 2.30 p.m*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 2ND MAY, 2023 AT 2.30 P.M

1. The County Assembly assembled at **2:31 P.M.**
2. The proceedings were opened with prayer.
3. Presiding Speaker: (**Hon. Emmanuel Situma**)
4. **PAPERS**

The following papers were laid;

- I. Report by the Committee on Appointments on the vetting of the Nominee for appointment to the Office of the County Executive Committee Member for Youth, Gender, Culture and Sports.

Paper laid by Hon. Joseph Nyongesa

- II. Report by the Sectoral Committee on Education and Vocational Training on the Vetting of the Nominee for appointment to the Office of the Chief Officer for Education and Vocational Training

Paper laid by Hon.Linda Kharakha

- III. Report by the Sectoral Committee on Trade, Energy and Industrialization on the vetting of the Nominee for appointment to the Office of the Chief Officer for Trade, Energy and Industrialization.

Paper laid by Hon.Johnston Ipara

- IV. Report by the Sectoral Committee on Health Services on the vetting of the Nominee for appointment to the Office of the Chief Officer for Health and Sanitation.

Paper table by Hon.Jerusa Aleu

- V. Report by the Sectoral Committee on Public Administration on the vetting of the Nominee for appointment to the Office of the Chief Officer for Public Service and Management.

Paper table by Hon.Caleb Wanjala

- VI. Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation, and Cooperative Development on the Vetting of the Nominees

for appointment to the Offices of the Chief Officer for Agriculture and Cooperative Development.

Paper table by Hon.Idd Owongo

VII. Report by the Committee on Selection on balancing of Hon. Members to County Assembly Committees.

Paper table by Hon.Joseph Nyongesa

VIII. Report by the Ad hoc Committee on the Task force Reports on Scholarships, Pending Bills, and Human Resource audit of the County Government of Bungoma, October 2022.

Paper table by Hon. Violet Makhanu

5. NOTICES OF MOTION

The following notices of motions were issued;

- I. **THAT** the House adopts the report by the Committee on Appointments on the vetting of the Nominee for appointment to the Office of the County Executive Committee Member for Youth, Gender, Culture and Sports.

Notice issued by Hon. Joseph Nyongesa

- II. **THAT** the House adopts the report by the Sectoral Committee on Education and Vocational Training on the vetting of the Nominee for appointment to the Office of the Chief Officer for Education and Vocational Training

Notice issued by Hon. Linda Kharakha

- III. **THAT** the House adopts the report by the Sectoral Committee on Trade, Energy and Industrialization on the vetting of the Nominee for appointment to the Office of the Chief Officer for Trade, Energy and Industrialization

Notice issued by Hon.Johnston Ipara

- IV. **THAT** the House adopts the report by the Sectoral Committee on Health Services on the vetting of the Nominee for appointment to the Office of the Chief Officer for Health and Sanitation

Notice issued by Hon.Jerusa Aleu

- V. **THAT** the House adopts the report by the Sectoral Committee on Public Administration on the vetting of the Nominee for appointment to the Office of the Chief Officer for Public Service and Management.

Notice issued by Hon.Caleb Wanjala

- VI. **THAT** the House adopts the report by the Sectoral Committee on

Agriculture, Livestock, Fisheries, Irrigation, and Cooperative Development on the vetting of the Nominees for appointment to the Offices of the Chief Officers for Agriculture and Cooperative Development.

Notice issued by Hon.Idd Owongo

- VII. **THAT** the House adopts the report by the Committee on Selection on balancing of Hon. Members to County Assembly Committees.

Notice issued by Hon.Joseph Nyongesa

- VIII. **THAT** the House adopts the report by the Ad hoc Committee on the Task force Reports on Scholarships, Pending Bills, and Human Resource audit of the County Government of Bungoma, October 2022.

Notice issued by Hon.Violet Makhanu

6. STATEMENTS

Pursuant to the provision of standing Order (47)(2)© the following statements were issued;

- I. A Statement sought by Hon. Ndasaba Dorcas Nakhumicha from the Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, and Co-operative Development in relation to the status of Namanjalala Dam plot number (BUNGOMA/ NAITIRI/147) in Naitiri/ Kabuyefwe ward.

Response to be availed on 7th June 2023 at 2:30pm

- II. A Statement sought by Hon Ndasaba Dorcas Nakhumicha from the Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, and Co-operative Development in relation to the status of Kabuyefwe Farmers' Cooperative Society in Naitiri/Kabuyefwe Ward.

Response to be availed on 7th June 2023 at 2:30pm

HOUSE ROSE- At 3:00 P.M

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 3rd May, 2023 at 9.30 a.m.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 3RD MAY, 2023 AT 9.30 A.M

1. The County Assembly assembled at 9.30. A.M
2. The proceedings were opened with prayer
3. Presiding: Speaker (**Hon. Emanuel Situma**)
4. **PAPERS**

The following papers were laid;

1. Report of the auditor general on Bungoma County Trade Development Loans Fund for the year ended 30th June, 2022.

Laid by Hon, Joseph Nyongesa, Leader of Majority and committed to Public Accounts and Investment Committee.

2. Report of the auditor general on Bungoma County Education Support Scheme for the year ended 30th June, 2022.

Tabled by Hon, Joseph Nyongesa, Leader of Majority and committed to Public Accounts and Investment Committee.

5. STATEMENTS

The following statement was issued pursuant to the provisions of Standing Order, 47(2) (C);

A statement sought by Hon. Sudi Busolo from Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources in relation to the implementation status of motion decentralization of dumpsite to every Sub-County.

Response to be issued on 6th June, 2023, within 30 days.

6. MOTIONS

The following motions were moved;

- I. **THAT**, the House adopts the report by the Committee on Appointments on the Vetting of Nominee for appointment to the Office of the County Executive Committee Member for Youth, Gender, Culture and Sports.

Mover: Hon. Joseph Nyongesa, Leader of Majority

Seconder: Hon. Anthony Luseneka, Leader of Minority

Question proposed

Debate arose

Mover called to reply

Question put/ Agreed to/Adopted

II. Motion within a motion:

Limitation of Debate

Mover: Hon. James Mukhongo

Seconder: Hon. Jack Kawa

Question proposed

No debate arose

Question put/ Agreed to /Adopted

III. **THAT**, the House adopts the report by the Sectoral Committee on Education and Vocational Training on the vetting of the Nominee for appointment to the Office of Chief Officer for Education and Vocational Training.

Mover: Hon. Jack Kawa

Seconder: Hon. Jacob Psero

Question proposed

Debate arose

Mover called to reply

Question put/ Agreedto/Adopted

IV. **THAT**, the House adopts the report by the Sectoral Committee on Public Administration on the vetting of the Nominee for appointment to the Office of the Chief Officer for Public Service and Management.

Mover: Hon. Caleb Wanjala

Seconder: Hon. Joseph Nyongesa

Question proposed

Debate arose

Mover called to reply

Question put/ Agreed/Adopted

HOUSE ROSE - 12.35 P.M

MEMORANDUM

*The Speaker will take the chair on
Wednesday 3rd June, 2023 at 2.30 P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 3RD MAY, 2023 AT 2:30 P.M

1. The County Assembly assembled at 2:31 P.M
2. The proceedings were opened with prayer
3. Presiding: Speaker (***Hon. Emmanuel M. Situma***)
4. **PAPERS**

The following papers were laid;

- I. Report from the Bungoma County Assembly Service Board on the Quarterly Reports and Financial Statements for the Period ended 31st March, 2023.
Tabled by Hon. Joseph Nyongesa, Leader of Majority
- II. Report from the Bungoma County Executive on Quarterly Reports and Financial Statements FY 2022/23 for the period ended 31st March 2023.
Tabled by Hon. Joseph Nyongesa, Leader of Majority
- III. Report from the County Revenue Fund on Quarterly Reports and Financial Statements FY 2022/23 for the period ended 31st March, 2023.
Tabled by Hon. Joseph Nyongesa, Leader of Majority

5. STATEMENTS

The following statements were sought pursuant to the provisions of Standing Order 47 (2);

- I. Statement sought by Hon. Johnston Okasida Ipara from the Chairperson, Sectoral Committee on Education and Vocational Training in relation to the status of the Tongaren and Milimani Vocational Training Centers.
Response to be availed on 13th June, 2023 at 2:30 PM
- II. Statement sought by Hon Johnston Okasida Ipara from the Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works in relation to the road network in Tongaren-Kiminini Ward.
Response to be availed on 13th June, 2023 at 2:30 PM

6. MOTIONS

The following motions were moved;

- I. THAT, the House adopts the report by the Sectoral Committee on Trade Energy and Industrialization on the Vetting of the Nominee for appointment of the Chief Officer for Trade, Energy and Industrialization.
Motion within a motion pursuant to Standing Order 109; Limitation of Debate.

Mover: Hon James Mukhongo

Seconder: Hon Jack Kawa

No debate

Question Put and motion **AGREED TO**

Substantive Motion moved by Hon. Johnston Ipara Okasida

Seconded by: Hon. John K. Wanyama

Question proposed

Debate arose

Mover called to respond

Question put and **AGREED TO**

- II. THAT, the House adopts the report by the Sectoral Committee on Health Service on the vetting of the nominee for appointment of the Chief Officer for Health and Sanitation

Motion moved by: Hon. Jerusa Aleu

Seconded by: Hon. George Makari

Motion within a motion pursuant to Standing Order 109; Limitation of Debate.

Mover: Hon. James Mukhongo

Seconder: Hon. Benjamin Otsiula

No debate

Question Put and motion agreed to

Question proposed

Debate arose

Mover called to respond

Question put and **AGREED TO**

- III. **THAT** this House adopts the Report by the Sectoral Committee Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the vetting of the nominees for appointment of the Chief Officers for Agriculture and Cooperative Development.

Motion moved by: Hon Idd Chamawi

Seconded by: Hon Alfred Mukhanya

Question proposed

Debate arose

Mover called to respond

Question put Nominee for appointment of the Chief Officer for Agriculture and agreed to

Question put Nominee for appointment of the Chief Officer for Cooperative Development and **AGREED TO**

HOUSE ROSE - at 5:48 P.M

MEMORANDUM

*The Speaker will take the Chair on
Thursday 4th May 3, 2023 at 2:30 P.M.*

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 4TH MAY, 2023 AT 2.30 P.M

1. The County Assembly assembled at **2:31 P.M.**
2. The proceedings were opened with prayer.
3. Presiding Speaker: (**Hon. Emmanuel Situma**)
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following information to the House;

- I. Striking off Order no. 8 (ii) from the Order Paper and it will come back in the House after the recess, this was after consulting the HBC Members.
- II. The request for a consultative meeting on budget estimates financial year 2023/2023. The County Assembly leadership had organised for a consultative meeting on budget estimates FY 2023/2024 on 5th and 6th May 2023 at the County Assembly Kamukunji Hall from 8:30am the Sector Committees Chairpersons and members for Budget and Appropriation and Finance and Economic Planning were asked to attend.

5. PAPERS

The following papers were laid;

- I. *The Bungoma County Government 2nd Supplementary Budget FY2022/2023*
Paper laid by Hon. Joseph Nyongesa; Leader of Majority
Committed to Budget and Appropriations Committee.
- II. *The Bungoma County Government Draft Private Land Valuation Roll-2015 for Bungoma Area*
Paper laid by Hon. Joseph Nyongesa; Leader of Majority
Committed to Sectoral Committee on Lands, Urban, Physical Planning and Housing
- III. *The Bungoma County Government Draft Private Land Valuation Roll-2015 for Webuye Area*
Paper laid by Hon. Joseph Nyongesa; Leader of Majority

6. STATEMENTS

The following responses were to be availed;

- I. Response from the County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development to a statement sought by Hon.Alfred Mukhanya in respect to environmental and health menace being experienced by the residence of Ndivisi Ward living close to Makemo dam.

The response not availed and it was directed that the response to be availed on 13th June, 2023 at 2:30 pm.

- II. Response from the County Executive Committee Member for Health and Sanitation to a statement sought by Hon. Stephen Wamalwa in respect to the status of the construction of Misanga dispensary and Makutano Health Center in Soysambu/Mitua ward.

The CECM Health and Sanitation, Hon. Andrew Wamalwa availed the response but it was insufficient therefore he was given more time to gather information of all pending project and their status for all 45 wards and avail his response on 20th June, 2023 at 2;30p.m .

- III. Response from the County Executive Committee Member for Roads, Transport, Infrastructure and Public Works to a statement sought by Hon.Jack Wambulwa in respect to the implementation of CEF road projects in Kimaeti Ward in the FY2019/20,2020/21.

The CECM Roads availed his response but was insufficient and he was directed gather information for all pending work in 45 wards and their status and avail his response on 27th June, 2023 at 2:30pm.

- IV. Response from the County Executive Committee Member for Roads, Transport, Infrastructure and Public Works to a statement sought by Hon. Anthony Luseneke in respect to the construction of Lumoro-Lutaso-Namirembe.

The CECM sort for more time to avail the response to the House on 27th June, 2023 at 2:30pn after the work is complete.

7. MOTION

The following motion was moved;

THAT the House adopts the report by the Committee on Selection on balancing of Hon. Members to County Assembly Committees.

Moved by Hon. Tony Barasa

Seconded by Hon. Anthony Luseneke

Question proposed

Question put and AGREED TO

8. **BILLS**

The following bill was read for the first time;

THE BUNGOMA COUNTY GOVERNMENT 2ND SUPPLEMENTARY APPROPRIATION BILL, 2023 FOR FY 2022/2023

A Bill by the County Assembly of Bungoma to authorize the issue of a sum of money out of the Revenue Fund and its application towards the service of the year ending on the 30th June 2024 and to appropriate that sum and a sum voted on account by the County Assembly for certain public service and purpose.

Committed to Committee Budget and Appropriations Committee

HOUSE ROSE - At 4:28 P.M

MEMORANDUM

The Speaker will take the Chair

On Tuesday 6th June, 2023 at 2.30 p.m

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 6TH JUNE, 2023 AT 2.30 P.M

1. The House assembled at Twenty Minutes to Three O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding – The Hon. Stephen Wamalwa, MCA, Deputy Speaker.**
4. **COMMUNICATION FROM THE CHAIR**

Hon Members,

a) Election of the committees' chairpersons and vice chairpersons

The committee on Justice, Cohesion and Legal Affairs, Delegated County Legislation, Implementation, and Public Accounts and Investment conducted their elections on Thursday 11th May, 2023 and the following were elected;

- Hon. Jacob Psero was elected as the chairperson of the committee on Justice, Cohesion and Legal Affairs.
 - Hon. George Tendet was elected as the chairperson of the committee on Delegated County Legislation.
 - Hon. Aggrey Mulongo was elected as the chairperson of the committee on implementation and Hon. Job Mukoyandali elected as the Vice chairperson.
 - Hon. Everton Nganga was elected as the chairperson Public Accounts and Investment and Hon. Timothy Chikati elected as the Vice chairperson.
- b) Any Member with an issue on Vocational Training Centers to raise them for consideration in the statement.
- c) The House was informed that the Corporate Shirts/blouses were being fitted in the Serjeant's office and that Hon. Members should make efforts to pass by.

Matter of Urgent County Importance

Under S.O 36 (2) the Speakers office is in receipt of a notification of adjournment on definite matter of urgent County importance, has complied with Standing Orders 36 (5), and 20 others in support, I therefore communicate as follows:

- d) I notice interest on the motion hence exercise my power under SO no.1, that business under order 8 is reverted back to HBC for fresh reallocation of time.
- e) That the mover to now move the motion of Urgent County importance.

5. PAPERS

The following paper was laid on the Table;-

Report by the Committee of Budget and Appropriation on the Bungoma County 2nd Supplementary Budget FY 2022/2023

(Hon. Jack Wambulwa, Chairperson, Committee on Budget and Appropriations)

6. NOTICES OF MOTION

The following Notice of Motion was given:

Report by the Committee of Budget and Appropriations on the Bungoma County 2nd Supplementary Budget FY 2022/2023

THAT, this House adopts the Report by the Committee on Budget and Appropriations on the Bungoma County 2nd Supplementary Budget FY 2022/2023.

(Hon. Jack Wambulwa, Chairperson, Committee on Budget and Appropriations)

7. STATEMENTS

The following Statements were issued;-

1. Pursuant to Standing Order 47 (2) (a) and (c), Hon. Johnston O Ipara, a Member of the House Business Committee issued a statement regarding the Weekly Business of the House for the week commencing Tuesday 6th - Thursday 8th June, 2023.
2. The Member for Luuya/Bwake Ward (Hon. Edwin Opwora- MCA) sought a response from the CECM Gender, Culture, Youth and Sports in relation to lack of proper support programs from the department to support the local upcoming musicians.

Response to be availed on 20th June 2023

3. The Member for Kabula Ward (Hon. Vitalis Wangila-MCA) was to seek a

response from the CECM, Roads, Transport, Infrastructure and Public Works in relation to the rehabilitation of the road from Kabula Catholic Church Naburereya done in the financial year 2021/2022.

The response was not sought since the Hon. Member was absent and therefore reverted back to HBC for reallocation of time.

4. The Member for Bukembe (Hon. Anthony Luseneke) sought a response on behalf of Maraka Ward (Hon. Ali Machani-MCA) from the CECM, Agriculture Livestock, Fisheries, Irrigation and Cooperative Development in relation to the procurement process of Maize and fertilizer for farm input support programme.

Response to be availed on 20th June 2023

8. MOTION – ADJOURNMENT ON DEFINITE MATTER OF URGENT COUNTY IMPORTANCE.

Motion made, Question proposed and more than 20 other Hon. Members rose in support of the motion –

THAT, the House does now adjourn to discuss a definite matter of urgent County Importance on the Prioritization of the release of Bursary allocation of Kshs. 4,000,000 to the 45 Wards.

(Hon. George Makari)

Debate ensued

With reference to Standing Order 36 (4) no question was put after the debate.

Speaker directed that the Hansard extracts be taken and forwarded to the Executive for action before 15th June, 2023.

HOUSE ROSE - at Thirty-two minutes Past Four O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 7th June, 2023 9.30 a.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 7TH JUNE, 2023 AT 9.30 A.M

1. The House assembled at Twenty five Minutes to Ten O'clock in the morning.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding – The Hon. Stephen Wamalwa, MCA (Deputy Speaker).**

4. PAPERS

The following papers were laid on the Table;-

1. Report of the Auditor General on the Nzoia Water Services Company Limited for the year ended 30th June, 2022.
(Hon. Juma Nyongesa, Leader of the Majority Party)
Committed to Public Accounts and Investments Committee
2. Report of the Auditor General on the Bungoma County Assembly Employee Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2022.
(Hon. Juma Nyongesa, Leader of the Majority Party)
Committed to Public Accounts and Investments Committee

5. STATEMENTS

The following Statements were issued –

- i) The Member for Kaptama Ward (Hon. Francis Chemion- MCA) sought a response from the CECM Health and Sanitation in relation to the construction of Kaptalelio Dispensary Maternity Wing in Kaptama Ward.

Response to be availed on 21st June 2023.

- ii) The Member for Kabula Ward (Hon. Vitalis Wangila-MCA) sought a response from the CECM, Health and Sanitation in relation to the ablution block at Kabula Market done in the Financial Year 2018/2019.

- iii) **Response to be availed on 21st June 2023.**

6. MOTION –REPORT BY THE COMMITTEE ON BUDGET AND

**APPROPRIATIONS ON THE BUNGOMA COUNTY 2ND
SUPPLEMENTARY BUDGET FY 2022/2023.**

Motion made Question proposed

THAT, this House notes the Report by the Committee on Budget and Appropriations on the Bungoma County 2nd Supplementary Budget FY 2022/2023.

(Hon. Jack Wambulwa, Chairperson, Committee on Budget and Appropriations)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

HOUSE ROSE - at twenty minutes Past Eleven O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 7th June, 20223 2.30 p.m*

----- X -----



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 7TH JUNE, 2023 AT 2.30 P.M

1. The House assembled at Twenty Minutes to Three O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding –Hon. Stephen Wamalwa, (Deputy Speaker)**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications;

REORGANIZATION OF THE ORDER PAPER

That pursuant to Standing Order number 1, the Speaker has the powers to reorganize the order paper, and he therefore directed statements to come after Bills and Motions on the Order Paper.

5. PAPERS

The following paper was laid on the Table; -

Report of the Auditor General on the County Revenue Fund for the County Government of Bungoma for the Year Ended 30th June 2022.

(Hon. George Makari, MCA, on behalf of the Leader of Majority)

Committed to Public Accounts and Investments Committee

6. THE BUNGOMA COUNTY GOVERNMENT 2ND SUPPLEMENTARY APPROPRIATION BILL, 2023 FOR 2022/23

Order for Second Reading read;

Motion made and Question proposed-

THAT, The Bungoma County Government 2nd Supplementary Appropriation Bill, 2023 (National Assembly Bill No. 4 of 2023) be now read a Second Time.

(Chairperson, Budget and Appropriations Committee)

There being no Member wishing to contribute

Question put and **AGREED TO.**

7. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

The Second Panelist in the Chair

The Bungoma County Government 2nd Supplementary Appropriation Bill, 2023

Pursuant to Standing Order No. 235, the Chairpersons of the Sectoral Committees of Land, Urban, Physical Planning and Housing & Finance and Economic Planning intends to move motion to issue sum of money from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2023, to the Supplementary Appropriation Bill at the Committee Stage.

BUNGOMA MUNICIPALITY

That the Sum of Kshs. 1,339,914.88 be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2023 in respect of recurrent expenditure of Kshs. 145,356.56 and development expenditure of Kshs. 1,194,559.32 in the Bungoma Municipality.

(Moved by the Chairperson, Sectoral Committee on Lands, Urban, Physical Planning and Housing)

KIMILILI MUNICIPALITY

That the Sum of Kshs 694,559.32 be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2023 in respect of recurrent reduction of Kshs. (500,000) and development expenditure of Kshs. 1,194,559.32 in the Kimilili Municipality.

(Moved by the Chairperson, Sectoral Committee on Land, Urban, Physical Planning and Housing)

DEPARTMENT OF FINANCE AND ECONOMIC PLANNING

That the Sum of Kshs 9,000,001 be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2023 in respect of recurrent expenditure of Kshs. 9,000,001 and development expenditure of Kshs. 0 in the department of Finance and Economic Planning

(Moved by the Chairperson, Sectoral Committee on Finance and Economic Planning)

8. HOUSE RESUMED - The Honorable Speaker in the Chair

REPORT STAGE (Chairperson Committee of the Whole House)

Hon. Speaker

Pursuant to Standing Order No. 147, I report the consideration of the Bungoma County Second Supplementary Appropriation Bill, 2023 and its considerations

thereof as follows;

BUNGOMA MUNICIPALITY

Hon. Speaker, in the Municipality of Bungoma

A Sum of **Kshs 1,339,914.88 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2023 in respect of recurrent expenditure of **Kshs. 145,356.56** and development expenditure of **Kshs. 1,194,559.32** in the **Bungoma Municipality**

KIMILILI MUNICIPALITY

Hon. Speaker, in the Municipality of Kimilili

A Sum of **Kshs 694,559.32 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2023 in respect of recurrent expenditure of **Kshs. (500,000)** and development expenditure of **Kshs. 1,194,559.32** in the **Kimilili Municipality**

DEPARTMENT OF FINANCE AND ECONOMIC PLANNING

Hon. Speaker, in the department of Finance and Economic Planning

A Sum of **Kshs 9,000,001 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2023 in respect of recurrent expenditure of **Kshs. 9,000,001** and development reduction of **Kshs. NIL** in the **department of Finance and Economic Planning**.

Motion made and Question proposed -

THAT, this House does agree with the Report of the Committee of the Whole House on its consideration of the Bungoma County Government 2nd Supplementary Appropriation Bill, 2023.

(Chairperson, Budget and Appropriations Committee)

9. STATEMENTS

The following responses were given on statements sought; –

1. County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development responded on statement number 40/2023 of Hon. Dorcas Ndasaba on Status of Namanjalala Dam Plot Number (BUNGOMA/ NAITIRI/147) in Naitiri/ Kabuyefwe Ward.

The response was availed and it was satisfactory

2. County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Co-operative and Development responded on statement number 41/2023 of Hon. Dorcas Ndasaba on Status of Kabuyefwe Farmers' Cooperative Society in Naitiri/ Kabuyefwe Ward. The CECM to responded to the following:

The response was availed and was satisfactory

3. The County Executive Committee Member for Tourism, Environment, Water and Natural Resources responded on the statement number 42/2023 of Hon. Isaiah Sudi Busolo on the implementation status of a motion on decentralization of dumpsites to every Sub-County.

Response not availed, the CECM sought to appear on another day.

HOUSE ROSE - at Twenty Five Minutes to Five O'clock

MEMORANDUM

The Speaker will take the Chair on

Thursday 8th June, 2023 2.30 P.M.

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 8TH JUNE, 2023 AT 2.30 P.M

1. The House assembled at fifteen minutes past Three O'clock in the afternoon
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding - Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

APPOINTMENT OF MUNICIPAL BOARD MEMBERS

„Honourable Members,

I am in receipt of a communication from the CECM for Lands, Urban/Physical Planning, Housing and Municipalities over the above as per section 9(c) & (d) of Urban areas and Cities (Amendment) Act, 2019. I have appointed and therefore, forward the following individuals as members of the Boards respectively for your necessary action as provided for under section 13 and 14 of the Urban Areas and Cities Act No. 13 of 2011

N	Name	Gender	Name of institution	Nominating institution
Kimilili Municipality				
1	Hon. Moses Wanyonyi Opicho	Male	An association representing the private sector in the area	Chamber of Commerce
2	Mrs. Violet Nafula Barasa	Female	A cluster representing registered	Juakali sector

			association of informal sector	
Bungoma Municipality				
3	Arch.Ham Wesonga	Male	Umbrella body representing professional associations in the area	APSEA
4	Mr. Phillip Wekesa	Male	A cluster representing registered association of informal sector	Juakali sector

Committed to Committee on Lands, Urban, Physical Planning and Housing for processing and reporting back to the House

5. PAPERS

The following papers were laid on the Table;

1. Report of the Auditor –General on Receiver of Revenue-Revenue Statements County Government of Bungoma for the year ended 30th June, 2022
2. Report of the Auditor –General on the Bungoma County Persons with Disabilities Empowerment Fund for the year ended 30th June,2022

(Hon. Joseph Juma Nyongesa, Leader of Majority party)

Committed to Public Accounts and Investments Committee

6. STATEMENTS

The following statements were issued -

1. Pursuant to the provisions of Standing Order 47(2) (a), the Member for Kimilili Ward (Hon Christine Mukhongo) issued a statement regarding the Business of the House for the week commencing Tuesday 13th June, 2023.
2. Pursuant to the provisions of standing order 47(2)(c), the Member for Kibingei Ward (Hon. Aggrey Mulongo) on behalf of Hon. Timothy Chikati requested from a statement from the Chairperson Departmental Committee on Education and Vocational Training

regarding the status of Tabani Vocational Centre within Ndalul/Tabani ward.

Response to be availed by CEC on 27th June, 2023 afternoon sitting.

7. MOTION- FAMILIARIZATION WITH THE PROCESSING OF STATUTORY INSTRUMENTS

Motion made and question proposed-

THAT, this House adopts the report on Delegated County Legislation committee on familiarization with the processing of statutory instruments, laid on the table of the House on 26th April, 2023.

(Member of Delegated County Legislation Committee, Hon. Martin Chemorion)

Debate arising

Mover replied

*Question put and **AGREED TO.***

8. THE BUNGOMA COUNTY GOVERNMENT 2ND SUPPLEMENTARY APPROPRIATIONS BILL, 2023 FOR FY 2022/2023

(Chairperson, Budget and Appropriations Committee)

Motion made and question proposed-

Debate arising

Mover replied

*Question put and **AGREED TO.***

Bill read a third time and **passed.**

HOUSE ROSE-

at twenty minutes to five O'clock

MEMORANDUM

The Speaker will take the Chair

On Tuesday 13th June, 2023 at 2.30 p.m.

-x-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 13TH JUNE, 2023 AT 2.30 P.M

1. The House assembled at Twenty Two Minutes to Three O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding** – Hon. Stephen Wamalwa Deputy Speaker
4. **COMMUNICATION FROM THE CHAIR**

The presiding Speaker conveyed the following communications;

1. The House was informed that the Hon. Speaker was away on official duty at the Senate
2. **Logging In** -The Hon. Members were urged to login using their cards
3. **Invitation by Family Bank**-The House was informed of an invitation by family bank Bungoma branch for corporate dinner that will be held in Jadelica Hotel Kanduyi on Friday 23/6/2023 at 5:00 p.m
4. **Visitors in the Speaker's gallery:** The House was informed of two liaison officers and other officers from the department of Education and Vocational Training who had accompanied the CECM Education and Vocational training

5. PAPERS

The following papers were laid on the Table;-

- I. Report of the Auditor -General on the Financial Statements of Nzoia water services Company Limited for the year ended 30th June, 2019.
(Hon. James Mukhongo, MCA, on behalf of the Leader of Majority)
It was committed to the Committee on Public Accounts and Investments.
- II. Report of the Auditor -General on the Financial Statements of Nzoia Water Services Company limited for the year ended 30th June, 2020.
(Hon. James Mukhongo, MCA, on behalf of the Leader of Majority)
It was committed to the Committee on Public Accounts and Investments.

III. Report of the Auditor -General and the Financial Statements of Nzoia Water Services Company Limited for the year ended 30th June 2021.

(Hon. James Mukhongo, MCA, on behalf of the Leader of Majority)

It was committed to the Committee on Public Accounts and Investments.

IV. Report of the Auditor -General on Bungoma County Disaster Management and Emergency Fund for the year ended 30th June, 2022.

(Hon. James Mukhongo, MCA, on behalf of the Leader of Majority)

It was committed to the Committee on Public Accounts and Investments.

V. Report by the sectoral committee on Health services on the Bungoma County Government nine months financial statements for FY 2022/23 in respect to the department of Health and Sanitation.

(Hon. Dorcas Ndasaba, MCA, Member Committee on Health and Sanitation).

6. NOTICES OF MOTION

The following Notice of Motion was given:

Report by the sectoral committee on Health Services on the Bungoma County Government nine months Financial Statements for FY 2022/23 in respect to the department of Health and Sanitation

THAT, this House adopts the report by the sectoral Committee on Health Services on the Bungoma County Government nine months Financial Statements for FY 2022/23 in respect to the department of Health and Sanitation.

(Hon. Dorcas Ndasaba, MCA, Member Health and Sanitation)

7. QUESTIONS AND STATEMENTS

The following questions were responded to –

- I. Response in respect to a question sought by Hon. Alfred Mukhanya on the environmental and health menace being experienced by the residents of Ndivisi Ward living close to Makemo dam.

On why the Department has neglected the said Dam posing a risk to human life and other environmental and health risks to the residents of Ndivisi the CECM responded that Makemo dam is the largest in the County with a capacity of over 100,000M² of water. The dam has a huge potential for irrigation and fisheries and fisheries development as well as recreation. In spite of the dam being an important resource, it has been neglected because the local leadership and the community have not given it priority while choosing projects to be funded

by the County Government just like in the case of other dams and water pans across the County.

On the reasons as to why there has been little effort to rehabilitate the dam-the CECM submitted that owing to its large capacity, it falls under the department of water. This is because the department of Irrigation which is under the County Ministry of Agriculture, Livestock, Fisheries, Irrigation and Cooperatives is only allowed water pans and small dams of capacity of less than rehabilitation. This amount is enormous and hence requires proper planning and resource mobilization similar to what happened to Kabkara Dam which is being rehabilitated by the Nation Agriculture and Rural Inclusive and Growth project (NARIGP).

On the steps the Executive is taking to implement the recommendations of PAC/PIC report in respect of rehabilitation of the said dam done in the Financial year 2014/2015-The CECM responded that the issue of the said report and its implementation can only be clarified by the County Secretary who was there at the said time, and the implementation committee of the first County Assembly. This is because the implementation of the reports has a time frame and is depended on the due diligence that is done by the Executive on issues raised in PIC/PAC reports.

On what the department is doing to have the dam repaired in a better manner-The CECM responded that the department in its planning framework, the Draft Sectoral plan 2023-2032 and the draft County Integrated Development Plan (CIDP) 2023-2027, has planned to rehabilitate dams across the County. has planned to rehabilitate dams across the County to increase water storage capacity and availability for increased agricultural and fisheries productivity. But the rehabilitation will done in phases due to limited resources.

The availed response was satisfactory.

- II. Response on a question sought by Hon. John Wanyama in relation to Muyayi Vocational Training Center.

On when the center was commissioned

The CECM replied that Muyayi VTC located in Bukembe West was started in 2016 on 0.45 hectares of land.

On why the greatly marketable courses like masonry, plumbing and electrical are not being offered in the institution

The CECM answered that Masonry and plumbing are licensed and are marketable but no student enrolled. Electrical course is not offered because the institution has no electricity and also the VTC has no qualified instructor in electrical engineering to teach electrical course.

On why the center offers tailoring, food and beverage course and only one tutor has been posted there

The CECM responded that the center does not offer only the aforementioned courses. Other courses offered are hair dressing, plumbing, and masonry which have instructors.

On what the Department is doing to have the VTC well-equipped of both personnel and various courses for trainings so as to attract more students-The CECM replied that the department will allocate student bursary of which the school management will use part to equip the center.

The response was satisfactory.

III. Response in regard to a question sought by Hon. Johnstone Ipara in relation to lack of clear information as far as the current status of Tongaren and Milimani VTCs are concerned (question no.45/2023).

On how many instructors have so far been deployed on permanent and pensionable terms in Tongaren and Milimani VTCs

The CECM responded that in Tongaren VTC has a total number of 4 instructors while in Milimani VTC has 3 instructors.

On what is the current number of students and the capitation that the students are allocated in the aforementioned VTCs?

The CECM responded that total number of students in Tongaren VTC is 41 with a capitation of Kshs. 113,000 while the total number of students in Milimani VTC is 74 with a capitation of Kshs. 126,000.

On what are the courses that are offered in the mentioned VTCs?

The CECM replied that in Tongaren VTC the courses offered are: Garment making, motor vehicle mechanics, Electrical, Masonry, Hair dressing and ICT. Whereas in Milimani VTC the courses offered are: Motor vehicle

mechanics, Building Technology, Agriculture/Agribusiness, Fashion and design and ICT.

On the development projects that have been done so far in the said VTCs from FY 2018/2019 to date. Provide the names of the contractors, the cost and the amount spent on those project

The CECM replied that Tongaren VTC was constructed in the FY 2020/21 by Chikhabe Enterprises. The projects is complete and, in the use, though finishing was poor especially the ceiling, painting was poorly done and the floor is cracking.

Milimani VTC, one classroom that was budgeted in the FY 2017/18 was awarded to Renbic Building and Construction Company Limited who completed the project and it is in use. The contractor also constructed one ECDE classroom and pit latrine at Makololwe and Mabusi primary schools. The total project cost for the three classroom and pit latrine was Kshs. 6M

Availed response was not satisfactory.

IV. Response in regard to the question sought by Hon. Johnstone Ipara on the scant information on the roads done in the financial year 2019/2020.2020/21 and 2021/2022.

Response was not availed on the floor of the House, the CECM Roads, Transport, Infrastructure and Public Works to issue the response before the House on 27Th June at Two O'clock in the afternoon.

HOUSE ROSE - at thirteen minutes to Five O'clock

MEMORANDUM

The Speaker will take the Chair on
Wednesday 14th June, 2023 at 9.30 a.m

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 14TH JUNE, 2023 AT 9:30A.M.

1. The House assembled at thirty four minutes past nine O'clock in the morning
2. The proceedings were opened with prayer Said by the Second Panelist.
3. Presiding - **Hon. Benjamin Otsiula (Second Panelist)**
4. **PAPERS**

The following papers were laid on the Table;

- I. Report on the Bungoma County Participatory Climate Risk Assessment.
- II. Report on Bungoma County Climate Change Action Plan, 2023-2027
(*Hon. Joseph Nyongesa, MCA, Leader of the Majority Party*)

They were committed to the Committee of Tourism, Environment, Water and Natural Resources for processing and report to the House.

5. STATEMENTS

The following Questions were asked;

1. Pursuant to Standing Order 49, the Member for Kaptama (Hon Francis Chemion) asked the CECM, Gender, Culture, Youth and Sports to respond on construction of the High Altitude Training Centre Administration block and Hostels in Kaptama Ward.

The CECM to avail the respond on *4th July 2023 at 2:30 p.m*

2. Pursuant to Standing Order 49, the Member for Kabula (Hon. Vitalis Wangila) asked the CECM, Roads, Transport, Infrastructure and Public Works to respond on the rehabilitation of the road from Kabula Catholic Church to Naburereya done in the Financial Year 2021/2022.

The CECM to respond on *4th July 2023 at 2:30 p.m*

3. Pursuant to Standing Order 49, the Member for Ndalu/ Tabani Ward (Hon. Timothy Chikati) asked the CECM Public Administration and ICT questions in relation to the lack of clear information on the contracted staff whose term are pegged on the current Governor's term.

The CECM to give the response on 4th July 2023 at 2:30p.m

6. MOTIONS - Report by the Public Accounts and Investments Committee on the Report of the Auditor General on the Financial Statements of the Bungoma County on; Disaster and Emergency Fund for the period ended 30th June, 2021, *laid on the Table of the House on Thursday, 5th April, 2023.*

Motion made and Question proposed

THAT, this House adopts the Report by the Public Accounts and Investments Committee on the Report of the Auditor General on the Financial Statements of the Bungoma County on; Disaster and Emergency Fund for the period ended 30th June, 2021, *laid on the Table of the House on Thursday, 5th April, 2023.*

(Hon. Timothy Chikati Vice Chairperson of the Committee of PAIC)

Debate ensued

Mover called upon to replied

Question put and **AGREED TO**

HOUSE ROSE - at Twelve Minutes to Eleven O'clock

MEMORANDUM

The Speaker will take the Chair on
Wednesday 14th June, 2023 at 2:30 P.M.

-x-



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNSDAY 14TH JUNE, 2023 AT 2.30 P.M

1. The House assembled at Thirty Four Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Second Panelist
3. **Presiding – Hon. Benjamin Otsiula (Second Panelist).**
4. **PAPERS**

The following paper was laid on the Table;-

Report by the Sectoral Committee on Youth and Sports Affairs on the Bungoma County Government nine Months Financial Statements for FY 2022/2023 in respect to the Department of Youth and Sports.

(Hon. Violet Makhanu, Chairperson, Committee on Youth and Sports Affairs)

5. **NOTICES OF MOTION**

The following Notices of Motion was given:

Report by the sectoral committee on Youth and Sports Affairs on the Bungoma County Government nine Months Financial Statements for FY 2022/2023 in respect to the Department of Youth and Sports.

THAT, this House adopts the Report by the sectoral committee on Youth and Sports Affairs on the Bungoma County Government nine Months Financial Statements for FY 2022/2023 in respect to the Department of Youth and Sports.

(Hon. Violet Makahanu, Chairperson, Committee on Youth and Sports Affairs)

6. **MOTION – REPORT BY THE SECTORAL COMMITTEE ON HEALTH SERVICES ON THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR FY 2022/2023 IN RESPECT TO THE DEPARTMENT OF HEALTH AND SANITATION**

Motion made, Question proposed

THAT, this House adopts the Report by the sectoral committee on Health Services on the Bungoma County Government nine Months Financial Statements for FY 2022/2023 in respect to the Department of Health and Sanitation laid on the Table of the House on 13th June, 2023.

(Hon. Dorcas Ndasaba, MCA, Member of Health Services Committee)

Debate ensued

Mover called upon to reply

Question Put and **AGREED TO.**

HOUSE ROSE - at quarter to Four O'clock

MEMORANDUM

*The Speaker will take the Chair on
Thursday 15th June, 20223 at 2.30 P.m.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 15TH JUNE, 2023 AT 2.30 P.M

1. The House assembled at Thirty one Minutes past Two O'clock in the Afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

A. FOR PUPILS

–Honorable Members,

We have with us today in the Gallery the following pupils from Kisuluni S.A Primary School. They are one hundred twelve in number accompanied by their teachers who are: Mr. Wycliffe Odwori, Mr. Nicholas Wafula, Mr. Felix Wanga, Mr. Josephat Wele, Mr. David Ngoya, Ms. Stella Makokha, Ms. Alice Makokha, and Ms. Rosebella Auma.

Honorable Members, the pupils are in the County Assembly to learn:-

- (a) The role county government and county Assembly
- (b) Duties of the Speaker
- (c) Who are the Members of the County Assembly
- (d) Who is the head of the County Assembly

Honorable Members, during the statement hour you will allowed to say a word of encouragement to pupils from Kisuluni S.A Primary School.

5. PAPERS

The following papers were laid on the Table:-

- I. Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Lands, Urban, Physical Planning and Housing.

(Hon. Wafula Waiti, MCA, Member Committee on Lands, Urban, Physical Planning and Housing)

- II. Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Tourism, Environment, Water and Natural Resources.

(Hon. Edwin Opwora, MCA, Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources)

6. NOTICES OF MOTION

The following Notices of Motion were issued:-

- I. **Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Lands, Urban, Physical Planning and Housing.**

THAT, this House adopts Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Lands, Urban, Physical Planning and Housing.

(Hon. Wafula Waiti, MCA, Member of Sectoral Committee on Lands, Urban, Physical Planning and Housing)

- II. **Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Tourism , Environment, Water and Natural Resources**

THAT, this House adopts the Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Tourism , Environment, Water and Natural Resources.

(Hon. Edwin Opwora, MCA, Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources)

7. STATEMENTS

The following Statements were issued; –

- I. Pursuant to S.O. 47 (2) (a), the Member for Khalaba (Hon.Cornelius Makhanu) a Member of the House Business Committee issued a

statement regarding weekly business coming before the House from Tuesday 20th –Thursday 22nd June, 2023.

- II. Hon. Members gave their points of encouragements and advice to pupils from Kisuluni S.A Primary school to put more efforts to their education and to have good discipline both in school and home.

8. MOTION –REPORT BY IMPLEMENTATION COMMITTEE ON IMPLEMENTATION STATUS OF ADOPTED PUBLIC ACCOUNTS COMMITTEE REPORT ON THE AUDITOR GENERAL" S REPORT FOR THE PERIOD ENDING 30TH JUNE, 2020

Motion made and Question proposed –

THAT, this House adopts the report by implementation committee on implementation status of adopted public account committee report on the Auditor General's report for the period 30th June ,2020 laid on the table of the House on Thursday 20th April,2023.

(Vice Chairperson, Committee on implementation)

Hon. Member stood on S.O 96 (2) on point of information and S.O 38(1) on lack of Quorum. The Speaker ordered the quorum bell to be rung for ten minutes per S.O 38(2)

The House continuous after achieving the quorum.

There being no Member wishing to contribute

Question put and **AGREED TO.**

HOUSE ROSE - at three Minutes past Five O'clock

MEMORANDUM

The Speaker will take the Chair on

Tuesday 20th June, 2023 at 2.30 p.m

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 20TH JUNE, 2023 AT 2.30 P.M

1. The House assembled at thirty two minutes past Two O'clock in the afternoon
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding Speaker- Hon. Emmanuel Situma**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications;

RE: VISITING DELEGATION

„**Honourable Members**, with us in the gallery today, we have a visiting delegation from Chekulo F.Y.M(Friends Yearly Meeting) primary School from Kabuchai Sub-County in Luuya/Bwake ward who have come to learn about the proceedings of the County Assembly sittings and the County Assembly operations. The delegation comprise of eighty seven pupils accompanied by four teachers namely: Mr. Robert Simiyu, Ms Odilia Ingaso, Mr. Edward Wekesa and Mr. Thomas Wanjala.

**RESOLUTIONS OF THE CONSULTATIVE MEETING BETWEEN
SPEAKERS, MAJORITY LEADERS AND MINORITY LEADERS OF
THE 47 COUNTY ASSEMBLIES**

„Honourable members, reference is made to the Consultative meeting between the County Assemblies speakers, majority leaders and minority leaders held on 17th June 2023 in Nairobi City County. The meeting discussed pertinent matters related to Members remunerations and benefits. The following resolutions were agreed upon;-

1. All County Assemblies are to adjourn sine die within 7 days until the salaries and Remuneration Commission (SRC) resolves the matter concerning members' remunerations and benefits. This temporary adjournment is necessary to express solidarity and raise awareness of the issue.

2. The County Assemblies Forum will draft and disseminate a common adjournment motion to all County Assemblies, urging them to adjourn sine die as per the resolution mentioned above.
3. That all County Assemblies petitions SRC, Senate, National assembly , and the Office of the Deputy President no later than 22nd June 2023 on the matter of members remunerations and benefits.
4. The Implementation of the Equitable Ward Development Fund was emphasized during the meeting. It was unanimously agreed to fast-track the legislation regarding this fund for effective provision of public services at the ward level.

This adjournment will serve as a collective demonstration of solidarity until such a time when the Salaries and Remuneration Commission (SRC) addresses the issues related to members' remuneration and benefits. Further, the Forum requests each County Assembly to work with their respective CASBs to develop a petition as per resolution 3 above (*contents herein attached*) as a show of solidarity and submit a copy of the signed petition and a copy of the Hansard report to CAF. For guidance we have enclosed the draft motion and petition, which reflect the resolutions made during the consultative meeting.

Should you have any queries or require further clarification, please do not hesitate to contact us at communication@countyassemblies.org or austinemunene90@gmail.com or via Tel no. 0701046933 or 0705447319. We appreciate your attention to this matter and look forward to your support in effectively addressing the concerns raised during the consultative meeting. Thank you for your continued support and cooperation. '

5. PAPERS

The following papers were laid on the table;

- I. The Public Finance Management(Bungoma County Trade Development Loans Fund)Regulations, 2023
(*Hon. Ipara, Chairperson Sectoral Committee on Trade, Energy and Industrialization*)
- II. Report by the Budget and Appropriations Committee on the Bungoma County Annual Budget Estimates FY 2023/2024
(*Hon. Jack Wambulwa Chairperson Committee on Budget and Appropriations*)

- III. Report by Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development nine months Financial Statements for FY 2022/2023 in respect to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development
(Hon. Waiti Wafula Chairperson Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)

6. NOTICES OF MOTION

The following Notices of Motion were given:

1. Report by the Budget and Appropriations Committee on the Bungoma County Annual Budget Estimates FY 2023/2024
(Hon. Jack Wambulwa Chairperson Committee on Budget and Appropriations)
2. Report by Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development nine months Financial Statements for FY 2022/2023 in respect to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.
(Hon. Waiti Wafula, Chairperson Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)

7. QUESTION AND STATEMENTS

The following statements were issued by-

1. Statement sought by member for Kaptama ward (Hon. Francis Chemion) from CECM Roads, Transport and Infrastructure in relation to tendering of roads
Response to be availed 11th July by CECM in person
2. Statement sought by member for Bumula ward (Hon. Hentry Nyongesa) from CECM Lands, Urban, Physical Planning and Housing with regard to purchase of various lands.
Response to be availed by CEC on 11th July, 2023 afternoon sitting
3. Pursuant to S.O 55 response from CECM Gender, Culture, Youth and Sports in relation to a question by member for Luuya/ Bwake ward

(Hon. Edwin Opwora) in relation to lack of support for the local upcoming musicians.

Response was satisfactory

4. Pursuant to S.O 55 response from CECM Health and Sanitation in relation to a question by member for Kaptama ward(Hon. Francis Chemion) in relation to construction of Kaptalelio dispensary maternity wing in Kaptama ward.

Response not satisfactory CECM to respond on 45 wards pending projects given 1 month to respond on 25th July 2023

5. Pursuant to S.O 55 response from CECM Health and Sanitation in relation to a question by member for Kabula ward(Hon. Vitalis Wangila) in relation to the ablution block at Kabula Market in the financial year 2018/2019

Response not satisfactory CECM to respond on 25th July 2:30 pm 2023

6. Pursuant to S.O 55 response from CECM Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development in relation to a question by member for Maraka ward Hon. Ali Machani in relation to the procurement process of maize and fertilizer for farm input support programme.

Response not satisfactory, CECM to respond on Tuesday 18th July 2:30 pm 2023

HOUSE ROSE-

at twenty minutes to five O'clock

MEMORANDUM

The Speaker will take the Chair

On Wednesday 21st June, 2023 at 9.30 a.m.

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 21ST JUNE, 2023 AT 9.30 A.M

1. The House assembled at Two Minutes past Nine O'clock in the Morning.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – The Hon. Emmanuel Situma (Speaker).**
4. **PAPERS**

The following papers were laid on the Table;-

1. Report on the Sectoral committee on Gender, Culture and Social Welfare on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Gender, Culture and Social Welfare.

(Hon. Florence Juma, Member, Committee on Gender, Culture and Social Welfare)

2. Report on the sectoral committee on Education and Vocational Training on the Bungoma County Government nine Months Financial Statements for FY 2022/2023 in respect to the Department of Education and Vocational Training.

(Hon. Benjamin Otsiula, Chairperson, Committee on Education and Vocational Training.)

5. NOTICES OF MOTION

The following Notices of Motion were given:

1. **Report on the Sectoral committee on Gender, Culture and Social Welfare on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Gender, Culture and Social Welfare.**

THAT, this House adopts the Report on the Sectoral committee on Gender, Culture and Social Welfare on the Bungoma County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Gender, Culture and Social Welfare.

(Hon. Florence Juma, Member, Committee on Gender, Culture and Social Welfare)

2. Report on the sectoral committee on Education and Vocational Training on the Bungoma County Government nine Months Financial Statements for FY 2022/2023 in respect to the Department of Education and Vocational Training.

THAT, this House adopts the Report on the sectoral committee on Education and Vocational Training on the Bungoma County Government nine Months Financial Statements for FY 2022/2023 in respect to the Department of Education and Vocational Training.

(Hon. Benjamin Otsiula, Chairperson, Committee on Education and Vocational Training.)

6. MOTION – REPORT BY THE BUDGET AND APPROPRIATION COMMITTEE ON THE BUNGOMA COUNTY ANNUAL BUDGET ESTIMATES FY 2023/2024

Motion made and Question proposed

THAT, this House adopts the Report by the Budget Committee and Appropriations committee on the Bungoma County Annual Budget Estimates FY 2023/2024.

(Hon. Charles Nangulu, Vice Chairperson, Budget and Appropriations Committee)

Debate ensued

Mover called to Reply

Question put and **AGREED TO**

MOTION- EXTENSION OF HOURS OF SITTING Standing Order 33 (3) (a)

Motion made and Question proposed

THAT this House extends to 1.30 P.M to allow Hon. Members contribute to the motion on the Report by the Budget and Appropriation Committee on Bungoma County Annual Budget Estimates FY 2023/2024.

(Hon. George Makari, MCA, Musikoma Ward)

Debate ensued

Mover called to reply

Question put and **AGREED TO**

HOUSE ROSE - at thirty minutes Past One O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 21st June, 20223 2.30 p.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 21ST JUNE, 2023 AT 2:30P.M

1. The County Assembly assembled at Twenty five minutes to Three O'clock in the morning.
2. The proceedings were opened with prayer said by the Speaker
3. Presiding – The **Hon. Emmanuel Situma, Speaker**

4. PAPERS

The following paper was laid on the Table;-

Report by the Sectoral Committee on Labour Relations, Member Service and Facilities on the Bungoma County Government nine months Financial Statements for FY 2022/2023.

(Hon. Catherine Kituyi, MCA, Vice Chairperson, Sectoral Committee Labour Relations, Member Service and Facilities)

5. NOTICES OF MOTION

The following Notice of Motion was given:

Report by the Sectoral Committee on Labour Relations, Member Service and Facilities on the Bungoma County Government nine months Financial Statements for FY 2022/2023.

THAT, this House adopts the Report by the Sectoral Committee on Labour Relations, Member Service and Facilities on the Bungoma County Government nine months Financial Statements for FY 2022/2023

(Hon. Catherine Kituyi, MCA, Vice Chairperson, Sectoral Committee Labour Relations, Member Service and Facilities)

6. MOTION - REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY ANNUAL BUDGET ESTIMATES FY 2023/2024

Motion made and question proposed –

THAT, this House notes the Report by the Budget and Appropriations Committee on the Bungoma County Annual Budget Estimates FY 2023/2024

laid on the Table of the House on 20th June, 2023

(Resumption of the Debate)

7. THE BUNGOMA COUNTY GOVERNMENT ANNUAL APPROPRIATION BILL, 2023

Order for Second Reading;

Motion made and Question proposed-

THAT, the Bungoma County Government Annual Appropriation Bill, 2023 be now read a Second Time.

(Chairperson, Budget and Appropriations Committee)

Debate arising;

Mover replied;

Question put and **AGREED TO.**

8. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

The Chairperson Committee of the Whole House in the Chair

The Bungoma County Government Annual Appropriation Bill, 2023

DEPARTMENT OF AGRICULTURE, LIVESTOCK, FISHERIES AND COOPERATIVE DEVELOPMENT

–That the Sum of **Kshs.1,102,548,834** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.402,632,492** and development expenditure of **Kshs.699,916,342** in the department of **Agriculture, Livestock, Fisheries and Co-operative Development.**

DEPARTMENT OF EDUCATION AND VOCATIONAL TRAINING

–That the Sum of **Kshs.1,628,772,340** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.1,220,439,340** and development expenditure of **Kshs.408,333,000** in the **department of Education and Vocational Training**

DEPARTMENT OF HEALTH

–That the Sum of **Kshs.3,928,157,505** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.3,496,371,065** and development expenditure of **Kshs.431,786,440** in the **department of Health**

DEPARTMENT OF PUBLIC ADMINISTRATION

–That the Sum of **Kshs.772,572,422** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.722,572,422** and development expenditure of **Kshs.50,000,000** in the **department of Public Administration**

OFFICE OF THE COUNTY SECRETARY

–That the Sum of **Kshs.13,800,000** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.13,800,000** in the **Office of the County Secretary**

OFFICE OF THE SUB-COUNTY ADMINISTRATION

–That the Sum of **Kshs.9,000,000** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.9,000,000** in the **Office of the Sub-County Administration**

OFFICE OF THE COUNTY ATTORNEY

–That the Sum of **Kshs.12,000,000** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.12,000,000** in the **Office of the County Attorney.**

DEPARTMENT OF ROADS AND PUBLIC WORKS

–That the Sum of **Kshs.1,396,626,350** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.130,714,030** and development expenditure of **Kshs.1,265,912,320** in the **department of Roads and public works**

DEPARTMENT OF TRADE, ENERGY, INDUSTRIALIZATION

–That the Sum of **Kshs.565,741,299** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in

respect of recurrent expenditure of **Kshs.52,998,866** and development expenditure of **Kshs.512,742,433** in the **department of Trade, Energy, Industrialization**

DEPARTMENT OF LANDS, URBAN AND PHYSICAL PLANNING

–That the Sum of **Kshs. 83,469,091** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.52,265,191** and development expenditure of **Kshs.31,203,900** in the **department of Lands, Urban and Physical Planning**

BUNGOMA MUNICIPALITY

–That the Sum of **Kshs.216,257,800** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.28,745,800** and development expenditure of **Kshs.187,512,000** in the **Bungoma Municipality**

KIMILILI MUNICIPALITY

–That the Sum of **Kshs.151,439,632** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.39,439,632** and development expenditure of **Kshs.112,000,000** in the **Kimilili Municipality**

DIRECTORATE OF HOUSING

–That the Sum of **Kshs.147,329,600** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.17,329,600** and development expenditure of **Kshs.130,000,000** in the **Directorate of Housing**

DIRECTORATE OF SANITATION

–That the Sum of **Kshs.16,243,868** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.2,017,430** and development expenditure of **Kshs.14,226,438** in the **Directorate of Sanitation**

DEPARTMENT OF TOURISM AND ENVIRONMENT

–That the Sum of **Kshs.509,738,987** be issued from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of recurrent expenditure of **Kshs.304,738,987** and development expenditure of **Kshs.205,000,000** in the **department of Tourism and Environment**

DEPARTMENT OF WATER AND NATURAL RESOURCES

–That the Sum of **Kshs. 302,640,010** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.65,732,119** and development expenditure of **Kshs.236,907,891** in the **Department of Water and Natural Resources**

DEPARTMENT OF GENDER AND CULTURE

–That the Sum of **Kshs. 126,880,980** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.71,168,159** and development expenditure of **Kshs.55,712,749** in the **department of Gender and Culture**

DEPARTMENT OF YOUTH AND SPORTS

–That the Sum of **Kshs.124,782,899** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.24,284,371** and development expenditure of **Kshs.100,498,528** in the **department of Youth and Sports**

DEPARTMENT OF FINANCE AND ECONOMIC PLANNING

–That the Sum of **Kshs. 1,263,723,407** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.1,059,567,879** and development expenditure of **Kshs.204,155,528** in the **department of Finance and Economic Planning**

OFFICE OF THE GOVERNOR

–That the Sum of **Kshs.404,242,799** be issued from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of recurrent expenditure of **Kshs.404,242,799** in the **Office of the Governor**

OFFICE OF THE DEPUTY GOVERNOR

–That the Sum of **Kshs. 27,336,583** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs. 27,336,583** in the **Office of the Deputy Governor**

COUNTY PUBLIC SERVICE BOARD

–That the Sum of **Kshs.74,641,488** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.44,641,488** and development expenditure of **Kshs.30,000,000** in **County Public Service Board**

COUNTY ASSEMBLY

–That the Sum of **Kshs. 1,154,263,678** be issued from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.1,071,362,230** and development expenditure of **Kshs. 82,901,448** in **County Assembly**

12. **HOUSE RESUMED** – The Honourable Speaker in the Chair

REPORT STAGE OF THE COMMITTEE OF THE WHOLE HOUSE

Pursuant to standing order No. 147, I (Chairperson Committee of the Whole House) report the consideration of the Bungoma County Appropriation Bill 2023 and its consideration thereof as follows;

DEPARTMENT OF AGRICULTURE, LIVESTOCK, FISHERIES AND COOPERATIVE DEVELOPMENT

Hon. Speaker, in the department of Agriculture, Livestock, Fisheries and Cooperative Development

A Sum of **Kshs.1,102,548,834** **WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.402,632,492** and development expenditure of **Kshs.699,916,342** in the department of Agriculture, Livestock, Fisheries and Cooperative Development.

DEPARTMENT OF TOURISM AND ENVIRONMENT

Hon. Speaker, in the department of Tourism and Environment

A Sum of **Kshs.509,738,987 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.304,738,987** and development expenditure of **Kshs.205,000,000** in the **department of Tourism and Environment.**

DEPARTMENT OF WATER AND NATURAL RESOURCES

Hon. Speaker, in the department of Water and Natural Resources_

A Sum of **Kshs.302,640,010 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.65,732,119** and development expenditure of **Kshs.236,907,891** in the **Department of Water and Natural Resources.**

DEPARTMENT OF ROADS AND PUBLIC WORKS

Hon. Speaker, in the department of Roads and Public Works

A Sum of **Kshs.1,396,626,350 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.130,714,030** and development expenditure of **Kshs. 1,265,912,320** in the **department of Roads and public works.**

DEPARTMENT OF EDUCATION AND VOCATIONAL TRAINING

Hon. Speaker, in the department of Education and Vocational Training

A Sum of **Kshs. 1,628,772,340 WAS GRANTED AND ISSUED** from the County ,Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.1,220,439,340** and development expenditure of **Kshs.408,333,000** in the **department of Education and Vocational Training.**

DEPARTMENT OF HEALTH

Hon. Speaker, in the department of Health

A Sum of **Kshs. 3,928,157,505 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th

June, 2024 in respect of recurrent expenditure of **Kshs.3,496,371,065** and development expenditure of **Kshs. 431,786,440** in the **department of Health.**

DIRECTORATE OF SANITATION

Hon. Speaker, in the Directorate of Sanitation

A Sum of **Kshs.16,243,868 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.2,017,430** and development expenditure of **Kshs.14,226,438** in the **Directorate of Sanitation**

DEPARTMENT OF TRADE, ENERGY AND INDUSTRIALIZATION

Hon. Speaker, in the department of Trade, Energy and Industrialization

A Sum of **Kshs.565,741,299 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.52,998,866** and development expenditure of **Kshs.512,742,433** in the **department of Trade, Energy and Industrialization.**

DEPARTMENT OF LANDS, URBAN AND PHYSICAL PLANNING

Hon. Speaker, in the department of Lands, Urban and Physical Planning

A Sum of **Kshs.83,469,091 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.52,265,191** and development expenditure of **Kshs.31,203,900** in the **department of Lands, Urban and Physical Planning**

BUNGOMA MUNICIPALITY

Hon. Speaker, in the Municipality of Bungoma

A Sum of **Kshs.216,257,800 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs. 28,745,800** and development expenditure of **Kshs.187,512,000** in the **Bungoma Municipality.**

KIMILILI MUNICIPALITY

Hon. Speaker, in the Municipality of Kimilili

A Sum of **Kshs.151,439,632 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of recurrent expenditure of **Kshs.39,439,632** and development expenditure of **Kshs. 112,000,000** in the **Kimilili Municipality**

DIRECTORATE OF HOUSING

Hon. Speaker, in the Directorate of Housing

A Sum of **Kshs.147,329,600 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of recurrent expenditure of **Kshs.17,329,600** and development expenditure of **Kshs.130,000,000** in the **Directorate of Housing**

DEPARTMENT OF GENDER AND CULTURE

Hon. Speaker, in the department of Gender and Culture

A Sum of **Kshs.126,880,908 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.71,168,159** and development expenditure of **Kshs.55,712,749** in the **Department of Gender and Culture**

DEPARTMENT OF YOUTH AND SPORTS

Hon. Speaker, in the department of Youth and Sports

A Sum of **Kshs.124,782,899 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.24,284,371** and development expenditure of **Kshs.100,498,528** in the **Department of Youth and Sports.**

COUNTY ASSEMBLY

Hon. Speaker, in County Assembly

A Sum of **Kshs. 1,154,263,678 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.1,071,362,230** and development expenditure of **Kshs. 82,901,448** in **County Assembly**

DEPARTMENT OF FINANCE AND ECONOMIC PLANNING

Hon. Speaker, in the department of Finance and Economic Planning

A Sum of **Kshs.1,263,723,407** **WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.1,059,567,879** and development expenditure of **Kshs.204,155,528** in the **department of Finance and Economic Planning**

OFFICE OF THE GOVERNOR

Hon. Speaker, in the Office of the Governor

A Sum of **Kshs.404,242,799** **WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.404,242,799** in the **Office of the Governor.**

OFFICE OF THE DEPUTY GOVERNOR

Hon. Speaker, in the Office of the Deputy Governor _

A Sum of **Kshs. 27,336,583** **WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.27,336,583** in the **Office of the Deputy Governor.**

COUNTY PUBLIC SERVICE BOARD

Hon. Speaker, in County Public Service Board

A Sum of **Kshs.74,641,488** **WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.44,641,488** and development expenditure of **Kshs. 30,000,000** in **County Public Service Board**

DEPARTMENT OF PUBLIC ADMINISTRATION

Hon. Speaker, in the department of Public Administration

A Sum of **Kshs. 772,572,422** **WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure of **Kshs.722,572,422** and development expenditure of **Kshs. 50,000,000** in the **department of Public**

Administration

OFFICE OF COUNTY ATTORNEY

Hon. Speaker, in the Office of the County Attorney

A Sum of **Kshs. 12,000,000 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of recurrent expenditure of **Kshs.12,000,000** in the **Office of County Attorney.**

OFFICE OF THE SUB-COUNTY ADMINISTRATION

Hon. Speaker, in the Office of the Sub-County Administration

A Sum of **Kshs. 9,000,000 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of recurrent expenditure of **Kshs.9,000,000** in the **Office of the Sub-County Administration.**

OFFICE OF THE COUNTY SECRETARY

Hon. Speaker, in the Office of the County Secretary

A Sum of **Kshs.13, 800,000 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of recurrent expenditure of **Kshs.13,800,000** in the **Office of the County Secretary.**

Motion made and question proposed –

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Bungoma County Government Annual Appropriation Bill, 2023

(Chairperson, Budget and Appropriations Committee)

Motion made and question proposed

That the House do agree with the Committee in the said Report

Question put and **AGREED TO.**

HOUSE ROSE - at Ten Minutes Past Five O'clock

MEMORANDUM

The Speaker will take the Chair on

Thursday 22nd June, 2023 at 2:30 P.M.

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 22ND JUNE, 2023 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding** – Hon. Emmanuel Situma (Speaker).
4. **COMMUNICATION FROM THE CHAIR**

I. Discharge of a member from the committee

Reference by S.O 178(1)(a) Hon. Florence Juma has been discharged from Public Administration and ICT Committee and replaced by Hon. Job Mukoyandali by the nomination Coalition, signed by Hon. Milliah Masungu Minority whip‘

**II. 4th EDITION COUNTY ASSEMBLIES SPORTS ASSOCIATION
(CASA FESTIVAL,2023)**

„Honorable Members

I’m in receipt of the letter from the Secretary General County Assemblies Sports Association, Mr. Benard Omboko dated 15th June 2023 addressed to all clerks of the County Assemblies detailing about the 4th Edition County Assembly sports Association games planned to be held in Nakuru City, Nakuru County starting on the 19th to 27th August,2023.

The disciplines to be staged for the Bonanza include, Football, Volleyball both for men and women, Athletics, Board games,TableTennis,Badminton,Darts,8 ball pool, Tug of War, Choir set piece, Dance own and borrowed, beauty contest among a others.

In this honor, the office of the Clerk is asked to release the program so that the Honourable members and staff in the teams start training in readiness for the festival.‘

5. PAPERS

The following paper were laid on the Table;-

Report by the Sectoral Committee on Public Administration and ICT on the

Bungoma

County Government nine months Financial Statements for FY 2022/2023 in respect to the Department of Public Service Management and Administration.

(Hon. Caleb Wanjala Vice Chairperson, Sectoral Committee on Public Administration and ICT)

6. NOTICES OF MOTION

The following Notice of Motion was given:

Report by the Sectoral Committee on Public Administration and ICT on the Bungoma County Government nine months Financial Statements for FY2022/2023 in respect to the Department Public Service Management and Administration

THAT, this House adopts Report by the Sectoral Committee on Public Administration and ICT on the Bungoma County Government nine months Financial Statements for FY

2022/2023 in respect to the Department Public Service Management and Administration.

(Hon. Caleb Wanjala Chairperson, Vice chairperson Sectoral Committee Public Administration and ICT)

7. QUESTIONS

The following questions were issued pursuant to S.O. 49;

- i) Question No. 52/2023 Member for Ndalu-Tabani Ward Hon. Tim Chikati to seek a response from the CECM, Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development in respect to the following cattle dips within Ndalu-Tabani Ward; Mayende cattle dip, Tabani cattle dip, Mapera cattle dip, Nzoia cattle dip, Muliro cattle dip and Luvitsu cattle dip.
- ii) Question No 53/2023, Member of the County Assembly Hon. John Kennedy Wanyama to seek a response from the CECM, Agriculture, Livestock, Fisheries Irrigation and Cooperative Development in respect to the field extension officers in the Department of Livestock and Fisheries.
- iii) On both question no.52 and 53 of 2023 to be responded the same time by CECM Agriculture, Livestock, Fisheries irrigation and Cooperative, the date will be communicated to her once the House resumes
- iv) Question No 54/2023, Member of the County Assembly Hon. John Kennedy Wanyama to seek a response from the CECM, Health Sanitation

on the management of Bungoma County Referral, Kimili Sub- County and Webuye County hospitals.

- v) The chairperson to invite the CECM Health and Sanitation and both medical superintendent from Bungoma county Referral, Kimilili sub-county and Webuye sub- county hospitals to assist the CECM to respond to the questions on the date that will be communicated to them once the House resumes.
- vi) Question No 55/2023, Member for Musikoma Ward Hon. George Makari to seek a response from the CECM, Roads, Transport, Infrastructure and Public Works on the status of roads constructed/rehabilitated in Musikoma Ward in the financial year 2022/2023
- vii) Question no.56/2023, Member for Musikoma Ward Hon. George Makari to seek a response from the CECM for Trade, Energy and Industrialization in relation to tenders for street lighting across the County.
- viii) Question No 57/2023, Member for Musikoma Ward Hon. George Makari to seek a response from the CECM, Lands, Urban, Physical Planning and Housing in respect to various unclear information concerning the municipality board members both for Kimilili and Bungoma.
- ix) Question No 58/2023, Member for Musikoma Ward Hon. George Makari to seek a response from the CECM, Agriculture, livestock, Fisheries, Irrigation and Cooperative development in respect to what the department is doing about Namasanda Dam.
- x) Question No 59/2023, Member for Khalaba Ward Hon. Cornelius Makhanu-MCA to seek a response from the CECM Lands, Urban, Physical Planning and Housing in respect to the construction of Pamus road.

The CECMs will appear to respond to the questions on the date he will be communicated once the House resumes.

8. MOTION - REPORT BY THE SECTORAL COMMITTEE ON YOUTH AND SPORTS ON THE NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH, 2023 IN RESPECT TO THE DEPARTMENT OF YOUTH AND SPORT

THAT, this House adopts the Report by the Sectoral Committee on Youth and Sports on the nine months Financial Statements for the period ended 31st March, 2023 in respect to the Department of Youth and Sports, *laid on the Table*

of the House on 14th June, 2023.

(Chairperson, Sectoral Committee on Youth and Sports)

The Speaker directed the motion to be differed back to HBC for fresh allocation

9. BILLS - THE BUNGOMA COUNTY GOVERNMENT ANNUAL APPROPRIATION BILL, 2023

Motion made and question put

A Bill for an Act of the County Assembly of Bungoma to authorize the issue of a sum of money out of the Revenue Fund and its application towards the service of the year ending on the 30th June, 2024 and to appropriate that sum and a sum voted on account by the County Assembly for certain public service and purposes.

(Third Reading)

(Hon. Jack Wambulwa Chairperson Budget and Appropriations committee)

Question put and **AGREED TO**

Bill read a third time and to **be forwarded for accede**

10. ADJOURNMENT MOTION

Motion made and question put

THAT the Members of County Assembly have taken note of the resolutions made during the Consultative Meeting held between the Speakers, Majority leaders and Minority Leaders on 17th June 2023 at Safari Park Hotel, Nairobi.

FURTHER AWARE, that these resolutions include the establishment of a Ward Development Fund and That a petition on the proposals on the remunerations and benefits be forwarded to all County Assemblies for submission to SRC, Senate, National Assembly and the Office of the Deputy President by 22nd June, 2023.

NOTING that during the Meeting, it was resolved that all County Assemblies adjourn within 7 days until such a time when the SRC resolves the matter on members remunerations and benefits.

FURTHER NOTING, the need to stand in solidarity with all the County Assemblies and demonstrate our commitment to the devolved system of governance.

APPRECIATING THAT, it is our duty to uphold the principles of devolution and ensure that the resolutions made by our colleagues in the County Assemblies are given due consideration,

NOW THEREFORE, notwithstanding the resolution of the County Assembly under section 31 (1) & (2) of our standing orders, this Assembly therefore resolves to adjourn its sittings until the date and time specified by the Honourable Speaker as per the House Calendar.

(Hon. Joseph Juma Nyongesa majority leader)

Debate arising

Mover called to reply

Question put and **AGREED TO**

HOUSE ROSE - at forty one minutes passed Three O'clock

MEMORANDUM

The House resume as per Speakers directive

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
SPECIAL HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 7TH SEPTEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Seven minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding** – The Hon. Stephen Wamalwa (Deputy Speaker)
4. **COMMUNICATION FROM THE CHAIR**

The presiding Speaker conveyed the following communication(s);

- (a) He welcomed Members to the Special Sitting as provided for in Standing Order 32.
- (b) That the Honourable Speaker was out on official duty on matters affecting Members.
- (c) That the Office of the Speaker was in receipt of a letter from the FORD KENYA Party requesting Members to remit their subscriptions.
- (d) That the Office of the Speaker was in receipt of scholarship invitations from NEEMA College for two students per MCA.
- (e) Invitation to attend the sugar industry conference from 8th to 9th September at MMUST to be opened by Dr. Moses Masika Wetang'ula. The Committee retreats were to be rescheduled.
- (f) That there were students in the public gallery from SIO RC primary school.

5. STATEMENTS

The Hon. George Makari, MCA, Musikoma Ward issued a statement of encouragement to learners in the public gallery from SIO RC primary school.

6. MOTION – PROCEDURAL MOTION ON THE ALTERATION OF THE CALENDAR OF THE HOUSE

Motion made and Question proposed -

THAT, pursuant to the provisions of Standing Order 31 (4) and taking cognizant of the long recess, this House resolves to alter its Calendar for the Second Session (*Regular Session*) and therefore orders, **THAT**, the sittings of the House

resume from Tuesday, 12th September, 2023 at 2:30 p.m. to Thursday, 21st September, 2023 at 2:30 p.m. thereafter the House to proceed on recess and resume on Tuesday 3rd October, 2023 at 2:30 p.m. as per the House Calendar, 2023.

(Deputy Leader of the Majority Party on behalf of the leader of the majority party)

Debate arising

Question put and **AGREED TO.**

HOUSE ROSE - at fifteen Minutes Past three O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 12th September, 2023 at 2.30 p.m.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 12TH SEPTEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty one Minutes past Two O'clock in the Afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications;

A. PROCESSING OF STATEMENTS

–Honourable Members,

I wish to welcome you back to this Session and wish you fruitful deliberations.

As you are aware, this Session resumes after the resolution from the Special Sitting held on Thursday 7th September 2023 in the afternoon sitting where you Honourable Members agreed to alter the Calendar and resume for two weeks then proceed for a short recess thereafter.

During the session, we had the following eight (8) statements that were raised to the County Executive Committee and are awaiting response:

1. Status of Cattle dips within Ndalu /Tabani Ward to the requested on 22nd June 2023 to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development
2. Status of Field Extension Officers in the Department of Livestock and Fisheries Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development requested on 22nd June 2023.
3. Status of Namasanda Dam in the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development sought on 22nd June 2023.
4. Status of road constructed /rehabilitated in Musikoma ward in the FY 2022/23 in the Department of Roads, Transport, Infrastructure and Public Works sought on 22nd June 2023.

5. Status of the construction of Pamus/Muyayi road by the Department of Roads, Transport, Infrastructure and Public Works sought on 22nd June 2023.
6. Status on the management of Bungoma County Referral hospital, Kimilili sub-county hospital and Webuye County hospital in the Department of Health Services sought on 22nd June 2023.
7. The status of tender of street lighting across the County Trade, Energy and Industrialization in the Department of Trade sought on 22nd June 2023.
8. The Status of Municipality Board Members for both Kimilili and Bungoma municipalities in the Department of Lands, Urban, Physical Planning and Housing sought on 22nd June 2023.

As to the manner of processing Statements in this Honourable House,
I wish to guide as follows:

All Statements are hereby directed to the relevant Sectoral Committees for response.

The relevant Sectoral Committees shall process the Statements and report to this Honourable House within 21 days after committal and within seven days if the statement is urgent as I shall determine.

A member who requests for a statement from the Committee chairperson relating to matters under the mandate of the Committee, I will either appoint a day for the statement or direct that the statement be issued on the same day.

Honourable Members, where a Member prefers a written reply to his/her statement, I direct that the written response be provided in respect to the statement.

The Clerk shall forward the statement to the relevant County Executive Committee Member and upon receipt; provide the written response to the Chair of the relevant Committee.

The Chair of the relevant Committee shall invite the Member who raised the Statement to the Committee when the County Executive Committee Member will appear to shed more light.

A County Executive Committee Member shall provide physical and electronic copies of the response at least a day before appearing before a Committee.

The Chairperson of the Committee may allow a supplementary question which relates to the statement referred to the Committee.

Where the Member who sought for a statement referred to the Committee is

absent without permission, the statement shall be dropped and no further proceedings shall be allowed.

After processing the Statement, the Chairperson of a Committee shall submit a progress report to the House on Statement; referred to the Committee, replied to, the Committee has directed a County Executive Committee Member to provide additional information or further reply and pending before the Committee.

Honourable Members, for the avoidance of doubt, the relevant Sectoral Committee to which the statement will be referred to, has to process the statement and report to the House within the provided timeline as per our Standing Orders. Failure to which the matters dealing with statements for that Sectoral Committee shall be processed by the House.

I therefore, urge Members to take time and familiarize themselves with the procedure in their future endeavor.

The House is accordingly guided.

B. FOR STUDENTS

Honorable Members,

We have with us today in the Gallery the following Students from Mbakalo Friends Girls Secondary School. They are Sixty two in number accompanied by their teachers who are: Ms. Isabella Wakoli, Mr. Brian Kisiang'ani, Ms. Pauline Wanjala, Ms. Chrisben Waswa

Honorable Members, during the statement hour you will allowed to say a word of encouragement to Students from Mbakalo Friends Girls Secondary School.

5. PETITION

The Speaker reported the Petition by Emony Yefwe International in reference to market construction for Mobile Traders at Dinah-Flyover.

It was committed to the Committee on Justice, Cohesion and Legal Affairs for processing and report back on 14th November, 2023.

6. PAPERS

The following papers were laid on the Table;-

- I. Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of the Four Nominees to the Bungoma and Kimilili Municipalities.

(Hon. Cornelius Makhanu, MCA, Member, Sectoral Committee on Lands, Physical Planning and Housing)

- II. Report by the Committee on Delegated County Legislation on Bungoma County Trade Development Loan Fund Regulations 2023.

(Hon. Florence Juma, MCA, Member Select Committee on Delegated County Legislation)

- III. The Bungoma County Annual Development Plan (ADP) FY 2024/2025.

(Hon. Joan Kirong, Deputy Majority Leader)

It was committed to the Committee on Finance and Economic Planning for processing and report back to the House

7. NOTICES OF MOTION

The following Notices of Motion were issued:-

- I. **Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili Municipalities.**

THAT, this House adopts Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of the four nominees to the Bungoma and Kimilili Municipalities laid on the Table of the House on Tuesday 12th September, 2023.

(Hon. Cornelius Makhanu, MCA, Member Sectoral Committee Lands, Urban, Physical Planning and Housing)

- II. **Report by the Select Committee on Delegated County Legislation on Bungoma County Trade Development Loan Fund Regulations 2023.**

THAT, this House adopts the Report by the Select Committee on Delegated County Legislation on Bungoma County Trade Development Loan Fund Regulations 2023 laid on the Table of the House on Tuesday 12th September, 2023.

(Hon. Florence Juma, MCA, Member Select Committee on Delegated County Legislation)

8. STATEMENTS

The following Statements were issued; –

- I. Pursuant to S.O. 47 (2) (a), of statement number 56/2023, Hon. Stephen Wamalwa, Member of the House Business Committee issued a statement regarding weekly business coming before the House from Tuesday 12th – Thursday 14th September, 2023.

II. Hon. Members gave their points of encouragements and advice to Students from Mbakalo Girl's Secondary School to put more efforts to their education and to have good discipline both in school and home.

9. MOTION –REPORT BY THE SECTORIAL COMMITTEE ON YOUTH AND SPORTS ON THE NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH 2023 IN RESPECT TO THE DEPARTMENT OF YOUTH AND SPORTS

Motion made and Question proposed –

THAT, this House adopts the report by the Sectorial Committee on Youth and Sports on the Nine months financial statements for the period ended 31st March 2023 in respect to the Department of Youth and Sports

(Hon. Violet Makhanu Chairperson, Committee on Youth and Sports)

Debate arising;

Mover replied;

Question put and **AGREED TO.**

10. BILLS THE BUNGOMA COUNTY FINANCE AMENDMENT BILL, 2023

(Deputy Leader of Majority Party)

Order for First Reading;

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

Bill read a First time and referred to the Committee on Finance and Economic Planning for processing and report back to the House.

HOUSE ROSE - at twenty one minutes past four O'clock

MEMORANDUM

The Speaker will take the Chair on

Wednesday 13th September, 2023 at 9.30 a.m.

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 13TH SEPTEMBER, 2023 AT 9.30 A.M

1. The House assembled at Half-Past Nine O'clock in the morning.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

- I. **THAT**, Honourable Members that they should always log in with their cards and those who have lost them should seek for their replacement from the Hansard Department.
- II. Members should not sign on behalf of other Members who are not present during the session.

5. PAPERS

The following papers were laid on the Table;

- i. Report by the Joint Committee on Trade, Energy and Industrialization and Finance and Economic Planning on the Bungoma County Public Markets Amendment Bill, 2023.
(Hon. John K. Wanyama, MCA, Vice chairperson the sectoral committee on Trade, Energy and Industrialization)
- ii. Report by the Public Accounts and Investments Committee on the Auditor General's Report on Financial Statements of Bungoma County Assembly car loan and mortgage fund for the year ended 30th June, 2019.
(Hon. Anthony Lusenaka, MCA, Member, Public Accounts and Investments Committee)
- iii. Report by the Public Accounts and Investments Committee on the special audit on the Report of the Auditor General on pending Bills of the (County Government) County Assembly of Bungoma for the financial years 2018/2019, 2019/2020.

(Hon. Anthony Lusenaka, MCA, Member, Public Accounts and Investments Committee)

6. NOTICES OF MOTION

The following Notices of Motion were issued:

- i. Report by the Joint Committee on Trade, Energy and Industrialization and Finance and Economic Planning on the Bungoma County Public Market Amendment Bill, 2023.**

THAT, this House notes the Report by the Joint Committee on Trade, Energy and Industrialization and Finance and Economic Planning on the Bungoma County Public Market Amendment Bill, 2023.

(Hon. John F. Kennedy, MCA, Vice Chairperson Committee on Trade, Energy and Industrialization)

- ii. Report by the Public Accounts and Investments Committee on the Auditor General's Report on Financial Statements of Bungoma County Assembly Car Loan and Mortgage Fund for the Year ended 30th June 2019.**

THAT, this House adopts the Report by the Public Accounts and Investments Committee on the Auditor General's Report on Financial Statements of Bungoma County Assembly Car Loan and Mortgage Fund for the Year ended 30 June, 2019.

(Hon. Anthony Lusenaka, MCA, Member, Public Accounts and Investments Committee)

- iii. Report by the Public Accounts and Investments Committee on the Special audit on the Report of the Auditor General on Pending Bills of the (County Government), County Assembly of Bungoma for the financial years 2018/2019,2019/2020**

THAT, this House adopts the Report by the Select Committee on Public Accounts and Investments on the Special Audit Report of the Auditor General on Pending Bills of the County Government, County Assembly of Bungoma for the financial years 2018/2019,2019/2020.

(Hon. Anthony Lusenaka, MCA, Member Sectoral Committee on Public Accounts and Investments)

7. MOTION - REPORT BY THE SECTORAL COMMITTEE ON LAND, URBAN, PHYSICAL PLANNING AND HOUSING ON THE VETTING OF THE FOUR NOMINEES TO THE BUNGOMA AND KIMILILI

MUNICIPALITIES.

Motion made and Question proposed

THAT, this House adopts the Report by the Sectoral Committee on Land, Urban, Physical Planning and Housing on the Vetting of the Four Nominees to the Bungoma and Kimilili Municipalities, laid on the table of the House on 12th September, 2023.

(Hon. Francis Chemion, Chairperson, Committee on Land, Urban, Physical Planning and Housing)

Debate arising;

Mover replied;

Question Put and **AGREED TO.**

8. MOTION-REPORT BY THE ADHOC COMMITTEE ON THE TASKFORCES'S REPORTS ON HUMAN RESOURCE AUDIT, SCHOLARSHIP AUDIT AND PENDING BILLS AUDIT.

Motion made

THAT, This House adopts the Report by the Ad Hoc Committee on the Taskforce's Reports on Human Resource Audit, Scholarship Audit and Pending Bills Audit, laid on the Table of the House on 2nd May, 2023.

(Hon. Tony Barasa, Chairperson, Adhoc Committee)

Motion adjourned to be continued at Two Thirty p.m.

HOUSE ROSE - at Twenty- Nine Minutes to One O'clock

MEMORANDUM

The Speaker will take the Chair on

Wednesday 13th September, 2023 at 2:30 p.m.

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 13TH SEPTEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications;

VISITING STUDENTS

–Honorable Members,

We have with us today in the public and the Speakers Gallery the following;

- (a) Pupils of ACK Kamuneru Primary School accompanied by their teachers, parents and Board of Management members.
- (b) Honorable Members, during the statement hour you will be allowed to say a word of encouragement to Students.

5. PAPERS

The following papers were laid on the Table; -

- i. Report by the sectoral committee on Finance and Economic Planning on Revenue Administration and Management (Amendment) Bill, 2023.
(Hon. Orize Kundu, MCA, Vice Chairperson Committee on Finance and Economic Planning)
- ii. Report by the sectoral committee on Trade, Energy and Industrialization on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 in respect to the Department of Trade, Energy and Industrialization.
(Hon. Ipara Okasida, MCA, Chairperson Committee on Trade, Energy and Industrialization)

6. NOTICES OF MOTION

The following Notices of Motion were issued:-

I. **Report by the Sectoral Committee on Finance and Economic Planning on Revenue Administration and Management (Amendment) Bill,2023**

THAT, this House adopts the Report by the Sectoral Committee on Finance and Economic Planning on Revenue Administration and Management (Amendment) Bill,2023

(Hon. Orize Kundu, MCA, Vice Chairperson of the Committee on Finance and Economic Planning)

II. **Report by the sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 in respect to the Department of Trade, Energy and Industrialization**

THAT, House adopts the report by the sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 in respect to the Department of Trade, Energy and Industrialization

(Hon. Ipara Okasida, MCA, Chairperson Sector Committee on Trade, Energy and Industrialization)

7. STATEMENTS

Hon. Members gave their points of encouragements and advice to pupils from ACK Kamuneru secondary school to put more efforts to their education and to have good discipline both in school and home.

8. MOTIONS- REPORT BY THE AD HOC COMMITTEE ON THE TASKFORCE'S REPORTS ON HUMAN RESOURCE AUDIT, SCHOLARSHIP AUDIT AND PENDING BILLS AUDIT.

(Resumption of interrupted business S.O 35)

Motion within a motion

MOTION- Adjournment of Debate S.O 64 (b)

Motion made and Question Proposed

THAT, the debate be adjourned to the next sitting

(Hon. Ali Machani, MCA, Maraka Ward)

Question put and **NEGATED**

Continuation of Ad hoc motion

Question proposed

No debate arose

Question put and **AGREED TO**

9. MOTION- REPORT BY THE COMMITTEE ON DELEGATED COUNTY LEGISLATION ON BUNGOMA COUNTY TRADE DEVELOPMENT LOANS FUND REGULATIONS, 2023.

THAT, this house adopts the report by the Committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023.

Motion within a Motion

Motion - Adjournment of the pursuant to Standing Order 64 (b)

Motion made and question proposed -

THAT, this House adjourns because of time and members being tired
(Hon. Stephen Wamalwa, MCA, Mitua Soysambu Ward)

Debate arising

Mover replied

Question put and **AGREED TO.**

HOUSE ROSE - at Ten Minutes Past Six O'clock

MEMORANDUM

*The Speaker will take the Chair on
Thursday 14th September, 2023 at 2.30 p.m.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 14TH SEPTEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications;

VISITING DELEGATION

–Honorable Members,

We have with us today in the Gallery the following;

- The Bungoma County Trade Loans Fund Manager Mr. Stephen Sitati.
- Students from ACK Lwandanyi Secondary School accompanied by their teachers.

Honorable Members, during the statement hour you will be allowed to say a word of encouragement to Students.

5. PAPERS

The following papers were laid on the Table;-

- I. Report by the Sectoral Committee on Finance and Economic Planning on
County Policy Statement on Enhancement of Own Resource Revenue.
(*Hon. Orize Kundu, MCA, Vice Chairperson Finance and Economic Planning Committee*)
- II. Report by the Sectoral Committee on Roads, Transport Infrastructure and
Public Works on the Bungoma County Government Nine Months
Financial Statements for FY 2022/203 in respect to the Department of
Roads, Transport, Infrastructure and Public Works.
(*Hon. Franklin Simotwo, MCA, Chairperson Committee on Roads,
Transport Infrastructure and Public works.*)

6. NOTICES OF MOTION

The following Notices of Motion were issued:-

I. **Report by the Sectoral Committee on Finance and Economic Planning on County Policy Statement on Enhancement of Own Resource Revenue**

THAT, this House adopts Report by the Sectoral Committee on Finance and Economic Planning on County Policy Statement on enhancement of Own Resource Revenue.

(Hon. Orize Kundu, MCA, Vice Chairperson Finance and Economic Planning Committee)

II. **Report by the sectoral committee on Roads, Transport Infrastructure and Public works on the Bungoma County Government Nine Months Financial Statements for FY 2022/203 in respect to the Department of Roads, Transport, Infrastructure and Public Works.**

THAT, this House adopts the Report by the sectoral committee on Roads, Transport Infrastructure and Public works on the Bungoma County Government Nine Months Financial Statements for FY 2022/203 in respect to the Department of Roads, Transport, Infrastructure and Public Works.

(Hon. Franklin Simotwo, MCA, Chairperson Committee on Roads, Transport Infrastructure and Public Works)

7. **STATEMENTS**

Hon. Members gave their points of encouragements and advice to Students from ACK Lwandanyi Secondary School to put more efforts to their education and to have good discipline both in school and home.

8. **MOTION –REPORT BY THE COMMITTEE ON DELEGATED COUNTY LEGISLATION ON BUNGOMA COUNTY TRADE DEVELOPMENT LOANS FUND REGULATIONS, 2023.**

Motion made and Question proposed –

THAT, this House adopts the report by the Committee on Delegated County Legislation on Bungoma County Trade Development Loans Fund Regulations, 2023.

(Hon. Florence Juma, Member of Delegated County Legislation Committee)

Debate rose

Question put and **AGREED TO.**

9. **MOTION –REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE AUDITOR GENERAL" S**

**REPORT ON FINANCIAL STATEMENTS OF BUNGOMA COUNTY
ASSEMBLY CAR LOAN AND MORTGAGE FUND FOR THE YEAR
ENDED 30TH JUNE, 2019.**

Motion made and Question proposed

THAT, this House adopts the Report by the Public Accounts and Investments Committee on the Auditor General's Report on Financial Statements of Bungoma County Assembly car loan and mortgage fund for the year ended 30th June, 2019, laid on the table of the House on 13th September, 2023.

(Moved by Hon. Everton Nganga, Chairperson Public Accounts and Investment Committee).

Debate arising;

Mover replied;

Question put and **AGREED TO.**

**10. MOTION-REPORT THE JOINT COMMITTEE ON TRADE, ENERGY
AND INDUSTRIALISATION AND FINANCE AND ECONOMIC
PLANNING ON THE BUNGOMA COUNTY PUBLIC MARKETS
(AMENDMENT) BILL, 2023.**

Motion made and Question proposed

THAT, this House notes the Reports by the joint Committee on Trade, Energy and Industrialization and Finance and Economic Planning on the Bungoma County Public Markets Amendments Bill, 2023.

(Hon. Johnston Ipara Okasida, Chairperson Committee on Trade, Energy and Industrialization)

Debate arising;

Mover replied;

HOUSE ROSE - at Twenty One Minutes Past Six O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 19th September, 2023 at 2.30 p.m.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 19TH SEPTEMBER, 2023 AT 2:30 P.M

1. The County Assembly assembled at thirty-three minutes past Two O'clock in the afternoon
2. The proceedings were opened with prayers said by Hon. Speaker
3. **Presiding - Hon. Emmanuel Situma - Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker issued the following communication:

FOR STUDENT

–Honourable Members,

We have with us today in the Public gallery and Speaker's Gallery pupils and teachers from Rainbow Learning Academy, they are one hundred and twenty two pupils and six teachers.

Hon. Members in the statement hour you will have time to encourage the pupils.

5. PAPERS

The following papers were laid on the Table;

- I. Report by Sectoral Committee on Gender Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023
(*Hon. Joseph Nyongesa; Member Committee on Gender, Culture and Social Welfare*)
- II. Report by the Sectoral Committee on Public Administration and ICT on consideration of the Bungoma County Inspectorate Compliance and Enforcement Bill, 2023
(*Hon. Tony Barasa, Chairperson, Committee on Public Administration and ICT*)

6. NOTICES OF MOTIONS

The following notices of motions were issued;

- I. **Report by the Sectoral Committee on Gender, Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023**

THAT, the House notes the report by the Sectoral Committee on Gender,

Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023

(Hon. Joseph Nyongesa, Member committee on Gender, Culture and Social Welfare)

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

THAT, this House notes the report by the Sectoral Committee on Public Administration and ICT on consideration of the Bungoma County Inspectorate Compliance and Enforcement Bill, 2023

(Hon. Tony Barasa, Chairperson Committee on Public Administration and ICT)

7. STATEMENTS

The following statement was issued:

Pursuant to Standing Order 47(2) (a) a statement regarding Business of the House from Tuesday 19th- Thursday 21st September, 2023

(Hon. Cornelius Makhanu, MCA, Member House Business Committee)

Members encouraged pupils from Rainbow Learning Academy to work hard and wished them well in their end year exam.

8. MOTION- THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR FY 2023 IN RESPECT TO THE DEPARTMENT OF LANDS, URBAN AND PHYSICAL PLANNING AND HOUSING

Motion made and question proposed-

THAT, this House adopts the Report by the Sectoral Committee on Land, Urban and Physical Planning and Housing on the Bungoma County Government Nine Months Financial Statements for FY 2023 in respect to the department of Lands, Urban and Physical Planning and Housing.

(Chairperson Sectorial Committee on Land, Urban and Physical Planning and Housing)

No debate arose

Question put and **AGREED TO.**

9. MOTION- THE BUNGOMA COUNTY REVENUE ADMINISTRATION AND MANAGEMENT (AMENDMENT) BILL, 2023

Motion made and question proposed-

THAT, this House adopts the report by the Sectoral Committee on Finance and

Economic Planning on the Bungoma County Revenue Administration and Management (Amendment) Bill, 2023

(Chairperson, Sectorial Committee on Finance and Economic Planning)

No debate arose;

Question put and **AGREED TO**

10. BILLS - The Bungoma County Public Markets (Amendment) Bill, 2023

Order for Second Reading

Motion made and question proposed-

THAT, The Bungoma County Public Markets (Amendment) Bill, 2023 be now read a Second Time

(Chairperson Committee Trade, Energy and Industrialization /Finance and Economic Planning)

No debate arose;

Question put and **AGREED TO.**

11. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

The Second Panelist in the Chair (**Hon. Benjamin Otsiula**)

The Bungoma County Public Markets (Amendment) Bill, 2023

Clause 2

Motion made and question proposed-

THAT clause 2 of the Bill be amended by deleting sub clause 2(a)

No debate;

Question put and **AGREED TO.**

Schedule

Motion made and question proposed-

THAT, the Bill be amended by deleting column four in its entirety and in the column five the words _ proposed charges 2022/23' be deleted so as to read _cashless payments'

No debate;

Question put and **AGREED TO.**

Title: No amendments

Clause 1: No amendment

12. House Resumed-The Honourable Speaker in the Chair

Bill reported as follows;

Clause 2: Approved with amendment

Schedule: Approved with amendment

Title: Approved without amendments

Clause 1: Approved without amendments

Motion made and Question proposed-

THAT, this House do agree with the report of the committee of the Whole House on its consideration of the **Bungoma County Public Markets (Amendment) Bill, 2023**

(Chairperson Joint Committee on Trade, Energy and Industrialization and Committee on Finance and Economic Planning)

No debate arose

Question put and **AGREED TO**

HOUSE ROSE - at ten minutes past four O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 20th September, 2023 at 9:30A.M*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 20TH SEPTEMBER, 2023 AT 9.30 P.M

1. The House assembled at Thirty Two Minutes past Nine O'clock in the morning.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Stephen Wamalwa, MCA, Deputy Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Presiding Speaker conveyed the following communications;

That the Speaker; Hon. Emmanuel Situma was engaged in other official duties.

5. PAPERS

The following papers were laid on the Table;-

- I. Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Cooperative Societies Bill, 2023.
(Hon. Martin Chemorion, Member Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)
- II. Report by the sectoral committee on Finance and Economic Planning on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 in respect to the Department of Finance and Economic Planning.
(Hon. Orize Kundu, Chairperson Committee on Finance and Economic Planning)

6. NOTICES OF MOTION

The following Notices of Motion were issued:-

- I. **Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Cooperative Societies Bill, 2023.**

THAT this House adopts a Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Cooperative Societies Bill, 2023.

(Hon. Martin Chemorion, Member Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)

II. Report by the sectoral committee on Finance and Economic Planning on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 in respect to the Department of Finance and Economic Planning.

THAT this House adopts a Report by the sectoral committee on Finance and Economic Planning on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 in respect to the Department of Finance and Economic Planning.

(Hon. Orize Kundu, Vice Chairperson Finance and Economic Planning committee)

7. MOTION –THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR FY 2022/2023 IN RESPECT TO THE DEPARTMENT OF TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCESS.

Motion made and Question proposed –

THAT, this house adopts the report by the sectoral committee on Tourism, Environment, water and Natural Resources on the Bungoma county government Nine Months financial statements for FY 2022/2023 in respect to the Department of Tourism, Environment , Water and natural Resources.

(Moved by Hon. Edwin Opwora, Chairperson Committee on Tourism on Tourism, Environment, Water and Natural Resources).

Debate rose;

Mover called to reply;

Question put and **AGREED TO.**

8. MOTION – THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR FY 2022/2023 IN RESPECT TO THE DEPARTMENT OF EDUCATION AND VOCATIONAL TRAINING

Motion made and Question proposed-

THAT, this House adopts the Report by the Sectoral Committee on Education and Vocational Training on the Bungoma County Nine Months Financial Statements for FY 2022/2023 in respect to the Department of Education and Vocational Training.

(Moved by Hon. Joan Kirong, Member Committee on Education and Vocational Training)

Debate arose;

Mover called to reply;

Question put and **AGREED TO.**

9. BILLS – THE BUNGOMA COUNTY PUBLIC MARKETS

(AMENDMENT) BILL, 2023.

Motion made and question proposed

THAT, The Bungoma County Public Markets (Amendment) Bill, 2023 be read a Third Time

No debate rose;

Question put and **AGREED TO.**

HOUSE ROSE - at thirty six minutes past Eleven O'clock

MEMORANDUM

The Speaker will take the Chair on

Wednesday 20th September, 2023 at 2.30 p.m.

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 20TH SEPTEMBER, 2023 AT 2.30 P.M.

1. The House assembled at Thirty two Minutes past Two O'clock in the Afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications;

A. FOR STUDENTS

–Honourable Members,

We have with us today in the public gallery the students from Immaculate Heart of Mary Luuya Girls Secondary School. They are forty eight in number accompanied by their teachers who are: Ms. Bentah Achieng, Mr. John Nambili, Mr. Robert Juma

Honorable Members, during the statement hour you will allowed to say a word of encouragement to Students from Immaculate Heart of Mary Luuya Girls Secondary School.

B. FOR DELEGATES GUEST

In Speakers Gallery I have a special quest Mr. Wamboka Khaoya Juma and her spouse who are parents to MP Bumula Consistituency, they have visited the County Assembly of Bungoma to know how the Assembly runs its business.

5. PAPERS

The following papers were laid on the Table;-

- I. Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the status of Garbage Collection and Management in the County.
(Hon. Edwin Opwora, Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources)

- II. Report by the Sectoral Committee on Finance and Economic Planning on County Revenue Fund Statement FY 2022/2023 for the period ended December 31st, 2022.

(Hon.Orinze Kundu, Vice chairperson, Sectoral Committee on Finance and Economic Planning)

6. NOTICES OF MOTION

The following Notices of Motion were issued:-

I. Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the status of Garbage Collection and Management in the County.

THAT, this House adopts the Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the status of Garbage Collection and Management in the County.

(Hon. Edwin Opwora, Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources)

II. Report by the Sectoral Committee on Finance and Economic Planning on County Revenue Fund Statement FY 2022/2023 for the period ended December 31st, 2022.

THAT, this House adopts the Report by the Sectoral Committee on Finance and Economic Planning on County Revenue Fund Statement FY 2022/2023 for the period ended December 31st, 2022.

(Hon. Orize Kundu, Vice chairperson, Sectoral Committee on Finance and Economic Planning)

III. NOTICE OF MOTION ON THE APPOINTMENT OF THE COUNTY SECRETARY

THAT, His excellency the Governor competitively fills the position of the County Secretary with Immediate effect in accordance to the law

(Hon. Jack Wambulwa, MCA Kimaeti Ward)

7. STATEMENTS

The following Statements was issued; –

- I. Pursuant to S.O. 49, question No. 58/2023 Member for Tuuti 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 the utilization of 3% of

both the scholarship and bursary funds. The CECM to respond to the following:

- (a) Provide expenditure reports of 3% of the scholarship and bursary funds.
- (b) Provide bank statements indicating withdrawals of 3% of the scholarship and bursary funds.
- (c) List activities that are to be funded from the 3% of the scholarship and bursary funds
- (d) Provide request forms for the expenditures.
- (e) What was the total allocation for scholarship and bursary funds in the FY 2022/2023?
- (f) What was the total administrative cost of both the scholarship and bursary funds?

It was directed that the CECM Education and Vocation Training to appear before the House on 5th October 2023 at 2:30 p.m. sitting to respond.

- II. Hon. Members gave their points of encouragements and advice to Students from Immaculate Heart of Mary girl's secondary school to put more efforts to their education and to have good discipline both in school and home. Furthermore Members appreciated Mr. Wamboka and her spouse for visiting the Assembly and they wished them and good health.

8. MOTION - THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR FY 2022/2023 IN RESPECT TO THE DEPARTMENT OF GENDER, CULTURE AND SOCIAL WELFARE.

Motion made and Question proposed

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 FY 2022/2023 in respect to the Department of Gender, Culture and Social Welfare *laid on the Table of the House on 21st June, 2023.*

(Hon. Florence Juma a member of *Sectoral Committee on Gender, Culture and Social Welfare*)

Debate arising;

Mover replied;

Question put and **AGREED TO.**

9. MOTION - COUNTY POLICY STATEMENT ON ENHANCEMENT OF OWN SOURCE REVENUE.

Motion made and question proposed

THAT, this House adopts the Report by the Committee on Finance and Economic Planning on County Policy Statement on enhancement of own source revenue, on the Table of the House on 14th September, 2023.

(Hon. Tony Barasa member, Sectoral Committee on Finance and Economic Planning)

No debate arose;

Question put and **AGREED TO.**

10. BILLS - THE BUNGOMA COUNTY REVENUE ADMINISTRATION AND MANAGEMENT (AMENDMENT) BILL, 2023.

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Bungoma County Revenue Administration and Management (Amendment) bill, 2023 be read a Second Time.

(Hon. James Barasa Chairperson, Sectoral Committee on Finance and Economic Planning)

No debate arose;

Question put and **AGREED TO.**

11. COMMITTEE OF THE WHOLE HOUSE ON THE BUNGOMA COUNTY REVENUE ADMINISTRATION AND MANAGEMENT (AMENDMENT) BILL, 2023.

IN THE COMMITTEE

Deputy Speaker, Hon. Stephen Wamalwa in the chair

THE BUNGOMA COUNTY REVENUE ADMINISTRATION AND MANAGEMENT (AMENDMENT) BILL, 2023

SCHEDULE

Motion made and question proposed;

THAT, the schedule in the Bill be amended by deleting the second last column of the schedule and deleting the words – proposed|| and –2022/23|| appearing at the top of the last column so as to read –Charges||

(Hon. James Mukhongo the Chairperson, Sectoral Committee on Finance and Economic Planning)

No, debate rose;

Question put and **AGREED TO.**

Motion made and question proposed –

TITLE: No amendments

CLAUSE 1: No amendment

12. HOUSE RESUMED - The Honourable Speaker in the Chair

Bill reported as follows;

- i) **The Schedule** was adopted with amendments
- ii) **The Title** was adopted without amendment
- iii) **The Clause 1** was adopted without amendments

Motion made and Question proposed -

THAT, this House do agree with the report of the Committee of the Whole House on its consideration of the *Bungoma County Revenue Administration (AMENDMENT) BILL, 2023*.

(Chairperson, Sectoral Committee on Finance and Economic Planning)

No debate rose;

Question put and **AGREED TO.**

HOUSE ROSE –twenty minutes to Five O'clock

MEMORANDUM

*The Speaker will take the Chair on
Thursday 21st September, 2023 at 2:30 p.m.*

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**COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY THIRD SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS**

THURSDAY 21ST SEPTEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty two Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding –Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

A. REORGANIZATION OF THE ORDER PAPER

That the Assembly would have a visiting school, Ndivisi Girls in Public Gallery and that the Honorable Members shall be allowed to make Comments when the students arrive.

B. SHORT RECESS

That this would be the last seating before the House adjourns for a short recess.

5. PAPERS

The following paper was laid on the Table; -

Report by Liaison Committee on the activities of the County Assembly Committees in the Financial Year 2022/2023

(Hon. Stephen Wamalwa, MCA, Chairperson Liaison Committee)

6. NOTICE OF MOTION

The following notice of motion was given

THAT, this House adopts the Report by Liaison Committee on the activities of the County Assembly Committees in the Financial Year 2022/2023

(Hon. Stephen Wamalwa, MCA, Chairperson Liaison Committee)

7. MOTION - THE NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31ST MARCH, 2023 IN RESPECT TO THE DEPARTMENT OF TRADE, ENERGY AND INDUSTRIALIZATION

(Hon. Johnston Ipara, MCA, Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

Motion made and question proposed

THAT, this House adopts the Report by the Sectoral Committee on Trade , Energy and Industrialization on the Nine Months Financial Statements for the period ending 31st March, 2023 in respect to the Department of Trade, Energy and Industrialization, laid on the Table of the House on 13th September, 2023.

Debate arising

Mover replied

Question put and **AGREED TO.**

8. MOTION - APPOINTMENT OF THE COUNTY SECRETARY

Motion made and Question proposed -

AWARE THAT, Article 10 and 232 of the Constitution of Kenya 2010, provides for the Principles and Values of good governance, key amongst is the Principle of accountability and the Rule of Law; **UNDERSTANDING THAT**, County Governments Act, 2012, in particular, Section 44 establishes the Office of the County Secretary; **REALIZING THAT**, the substantive County Secretary left the office almost immediately after the general elections; **UNDERSTANDING THAT**, the Office of the County Secretary must be occupied by a substantive Office Holder for accountability, efficiency and effectiveness in service delivery, the Office has not been filled to date, hence hampering service delivery in County Government of Bungoma.

I NOW MOVE AND PROPOSE, THAT, HIS EXCELLENCE THE GOVERNOR in compliance with Section 44 (2A) of the County Governments Act, 2012, constitutes a Selection Panel for the purpose of competitive recruitment of a County Secretary with immediate effect.

(Member for Kimaeti Ward – Hon. Jackson Wambulwa)

Debate arising;

Mover replied;

Question put and **AGREED TO.**

9. BILLS –THE BUNGOMA COUNTY REVENUE ADMINISTRATION AND MANAGEMENT (AMENDMENT) BILL, 2023.

Order for Third Reading read;

Motion made and question proposed

THAT, the Bungoma County Revenue Administration and Management

(Amendment) Bill, 2023 be now read a Third Time.

(Chairperson, Finance and Economic Planning)

No debate arose;

Question Put and **AGREED TO.**

The Bill read a third time that;

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)

HOUSE ROSE - at Ten Minutes Past Five O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 3rd October, 2023 at 2.30 P.M.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY THIRD SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 3RD OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Forty Minutes past Two O'clock in the afternoon.
2. The proceeding were opened with prayer said by the Deputy Speaker
3. **Presiding –Hon. Stephen Wamalwa, MCA, Deputy Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

a. The Speaker's absence

The Honorable Speaker was away on official County Assembly engagement.

b. Quorum hitches in Committee meetings

–That it has been noted that Hon. Members are not attending Committee meetings. The Chairpersons are urged to make sure the register books are closed after a meeting and if it becomes difficult to implement then biometric machines shall be deployed in every committee meeting.

c. Present in the public gallery are students and teachers of Sikulu Friends Secondary School and Nalondo CBM Special J.S.S.

5. PAPERS

The following paper was laid on the Table; -

1. Report by the Public Accounts and Investments Committee on the Auditor General's report on the Financial Statements of the Bungoma County Government on; Bungoma County Youth and Women Empowerment Fund for the period ended 30th June, 2019
(Hon. Jerusa Aleu for Chairperson, Public Accounts and Investments Committee)
2. Bungoma County Revenue Fund Statements for the Financial Year 2022/2023 for the period ended 30th June, 2023.

(Hon. Jack Wambulwa on behalf of the Leader of the Majority Party)

6. NOTICE OF MOTION

The following Notice of Motion was given;

Report by the Public Accounts and Investments Committee on the Auditor General's report on the Financial Statements of the Bungoma County Government on; Bungoma County Youth and Women Empowerment Fund for the period ended 30th June, 2019

THAT, this House adopts the report by the Public Accounts and Investments Committee on the Auditor General's report on the Financial Statements of the Bungoma County Government on; Bungoma County Youth and Women Empowerment Fund for the period ended 30th June, 2019

(Hon. Jerusa Aleu for Chairperson, Public Accounts and Investments Committee)

7. **QUESTIONS AND STATEMENTS**

It is notified that, pursuant to S.O. 47 (2) (a), a Member of the House Business Committee shall inform the House of the weekly Business of the House.

Statement No. 59/2023: **Member of the House Business Committee Pursuant to the provisions of Standing Order 47 (2) (a)**

A Statement informing the County Assembly of the Weekly Business Coming before the House from Tuesday 3rd – Thursday 5th October, 2023.

(Hon. Hentry Nyongesa Member of HBC)

8. **MOTION - CONSIDERATION OF THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR FY 2022/2023 WITH RESPECT TO THE DEPARTMENT OF AGRICULTURE LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT**

Motion made by Hon. Alice Kibaba and seconded by Hon. Jerusa Aleu and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Agriculture Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 with respect to the Department of Agriculture Livestock, Fisheries, Irrigation and Cooperative Development, *laid on the Table of the House on 20th June, 2023.*

(Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries Irrigation and Cooperative Development)

Debate arising

Mover replied

Question put and **AGREED TO.**

9. MOTION – CONSIDERATION OF THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023.

THAT, this House notes the report by the Sectoral on Gender, Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023, *laid on the Table of the House on 19th September, 2023.*

(Chairperson, Sectoral Committee on Gender, Culture and Social Welfare)

Quorum Hitch (S.O 38 (1))

Pursuant to SO 38 (1) Hon. Hentry Nyongesa seconded by Hon. Johnston Ipara stood on point of order and raised that there was no quorum.

Quorum was not present.

Motion on the consideration of the Bungoma County Public Entertainment and Amenities Bill, 2023 not moved.

HOUSE ROSE - at Thirteen Minutes Past Five O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 4th October, 2023 at 9.30 A.M.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 4TH OCTOBER, 2023 AT 9.30 A.M

1. The House assembled at Thirty two Minutes past Nine O'clock in the Morning.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding –Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication(s);

(A) For Visiting Delegations

The Speaker issued the following Communication –

(B) Recognition of a delegation from the Senate

The Speaker informed the House of a visiting delegation; 2 Sergeants At Arms from the Senate. It was noted that the sergeants were around to capacity build the Sergeants Department of the County Assembly of Bungoma.

Their names were;

1. Wilson Bosmett- Principal Sergeant At Arms
2. Patrick Murimo Sergeant At Arms

5. PAPERS

The following Paper was laid;

Report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Weights and Measures Bill, 2023.

(Hon Brigid Katasi, Member, Sectoral Committee on Trade, Energy and Industrialization)

6. NOTICES OF MOTION

The following Notice was issued;

Report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Weights and Measures Bill, 2023.

THAT, this House notes the report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Weights and Measures Bill, 2023.
(Hon Brigid Katasi, Member, Sectoral Committee on Trade, Energy and Industrialization)

7. MOTION – CONSIDERATION OF THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023.

Motion made and Question proposed –

THAT, this House notes the report by the Sectoral on Gender, Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023, *laid on the Table of the House on 19th September, 2023.*

(Hon. Jack Kawa, MCA, Chairperson, Sectoral Committee on Gender, Culture and Social Welfare)

Debate ensued

Mover called upon to reply

The House NOTES the report

8. BILLS - THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023.

Order for Second Reading read;

Motion made and Question proposed-

THAT a Bill for an Act of the County Assembly of Bungoma to regulate public entertainment and the use of public amenities and for connected purposes

(Hon. Jack Kawa, MCA, Chairperson, Sectoral Committee on Gender, Culture and Social Welfare)

Debate arising;

Mover replied;

Question put and **AGREED TO.**

9. COMMITTEE OF THE WHOLE HOUSE ON THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023

IN THE COMMITTEE

The Deputy Speaker in the Chair

THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023

The following were the amendments to the Bungoma County Public Entertainment and Amenities Bill, 2023

(Moved by the Chairperson of the Sectoral Committee on Gender, Culture and Social Welfare)

CLAUSE 4

THAT, the Bill be amended by deleting Clause 4

CLAUSE 5

THAT, the Bill be amended by deleting Clause 5

CLAUSE 6

THAT, the Bill be amended by deleting Clause 6

CLAUSE 7

THAT, Clause 7 of the Bill be amended by;

- i) inserting the words –after consultation with the County Public Service Board immediately after the word –shall;*
- ii) deleting the words –by notice in the Gazette before the word –appoint*
- iii) inserting the word –or immediately after the word –amenities and by deleting the word –cultural sites appearing immediately after the word –or.*

So as to read:

–7. The county executive committee member shall, after consultation with the County Public Service Board, appoint such number of officers to be authorized officers to oversee the activities taking place in places of public entertainment, public amenities or camping sites under this Act.

CLAUSE 10

THAT, Clause 10 of the Bill be amended in sub clause 10 (d) by deleting the words –the officer in charge of the nearest police station appearing immediately after the word –allow and substituting therefor the words –a police officer and by deleting the words –appointed for the purpose by the Department appearing immediately after the word –officer, So as to read:

–10 (d) allow a police officer or authorized officer to inspect the public entertainment venue at a reasonable period.

CLAUSE 11

THAT, the Bill be amended by deleting Clause 11

CLAUSE 12

THAT, the Bill be amended by deleting Clause 12

CLAUSE 14

THAT, the Bill be amended by deleting Clause 14

CLAUSE 15

THAT, Clause 15 of the Bill be amended by inserting the word –county immediately after the words –approval of the, so as to read:

–15. The county executive committee member may by notice in the Gazette and after approval of the County Assembly, declare any entertainment to which the public is admitted, whether admission is procured or not, to be a public entertainment venue for the purposes of this Act.

CLAUSE 21

THAT, Clause 21 the Bill be amended in sub-clause 4;

i. by inserting at the beginning of paragraph (b) the words –display

So as to read:

21 (4) (b) display, distribute pamphlets, placards, paintings, books, handbills.

ii. And by inserting at the beginning of paragraph (c) the words –display any.

So as to read:

21 (4) (c) display any other printed, written or painted work

CLAUSE 23

THAT, Clause 23 of the Bill be amended by deleting sub-clause (5) in its entirety.

CLAUSE 42

THAT, Clause 42 of the Bill be amended by deleting the words –cultural sites appearing immediately after the word –amenity

So as to read:

42. The County Executive Committee Member may exempt a person holding an activity in a public entertainment venue, public amenity, camping site or other place owned or managed by the Department from obtaining a permit under this Act for the purpose.

CLAUSE 43

THAT, Clause 43 of the Bill be amended in sub clause (1) by deleting the words –cultural sites appearing immediately after the word –amenity

So as to read:

43 (1) The Department may, before issuing a permit in respect of a public entertainment venue, public amenity or camping site for purposes of public security and compliance to the conditions of the permit require-

CLAUSE 47

THAT, Clause 47 be amended in sub clause (1) by deleting the words –or cultural site appearing immediately after the words –camping site

So as to read:

47 (1) A police officer or authorized officer appointed for the purpose by the County Executive Committee Member may at all reasonable times, enter upon any public entertainment venue, public amenity or camping site in which there is reason to believe that any activity or event is being or is about to take place with a view to ensuring that this Act is complied with.

CLAUSE 49

THAT, Clause 49 of the Bill be amended by inserting a new paragraph (aa). So as to read:

49(aa) entrance fees to public amenities

And inn paragraph (d) by deleting the words –cultural sites appearing immediately after the word –whichll and substituting therefor the words –public amenities.

So as to read:

–49(d) hours during which public amenities may be open to the public

SCHEDULE

That the schedule of the Bill be amended-

(i) by deleting the words –Education, Culture, Youth, and Social Services appearing immediately after the word –amenities on the title of the schedule

So as to read:

–County Public Entertainment and Amenities

(ii) by deleting column 4 on –approved charges 2021/2022 in its entirety

(iii) by deleting the words –proposed charges 2022/23 appearing in column 5 and substituting therefor the word –charges

So as to read: –Charges

(Hon Stephen Wamalwa, MCA, Deputy Speaker, Chairperson, Committee of the Whole House)

10. HOUSE RESUMED - The Honourable Speaker in the Chair

Bill reported with amendments as;

CLAUSE 3: Was approved without amendments

CLAUSE 4: Was approved by deleting the entire Clause

CLAUSE 5: Was approved by deleting the entire Clause

CLAUSE 6: Was approved by deleting the entire Clause

CLAUSE 7: Was approved with amendments.

CLAUSE 8: Was approved without amendments
CLAUSE 9: Was approved without amendments
CLAUSE 10: Was approved with amendments.
CLAUSE 11: Was approved with amendments by deleting the entire Clause
CLAUSE 12: Was approved with amendments.
CLAUSE 13: Was approved without amendments
CLAUSE 14: Was approved with amended by deleting entire Clause
CLAUSE 15: Was approved with amendments.
CLAUSE 16: Was approved without amendments.
CLAUSE 17: Was approved without amendments.
CLAUSE 18: Was approved without amendments.
CLAUSE 19: Was approved without amendments.
CLAUSE 20: Was approved without amendments.
CLAUSE 21: Was approved with amendments.
CLAUSE 22: Was approved without amendments.
CLAUSE 23: Was approved with amendments.
CLAUSE 24: Was approved without amendments.
CLAUSE 25: Was approved without amendments.
CLAUSE 26: Was approved without amendments.
CLAUSE 27: Was approved without amendments.
CLAUSE 28: Was approved without amendments.
CLAUSE 29: Was approved without amendments.
CLAUSE 30: Was approved without amendments.
CLAUSE 31: Was approved without amendments.
CLAUSE 32: Was approved without amendments.
CLAUSE 33: Was approved without amendments.
CLAUSE 34: Was approved without amendments.
CLAUSE 35: Was approved without amendments.
CLAUSE 36: Was approved without amendments.
CLAUSE 37: Was approved without amendments.
CLAUSE 38: Was approved without amendments.
CLAUSE 39: Was approved without amendments.
CLAUSE 40: Was approved without amendments.
CLAUSE 41: Was approved without amendments.
CLAUSE 42: Was approved with amendments.
CLAUSE 43: Was approved with amendments.

CLAUSE 44: Was approved without amendments.

CLAUSE 45: Was approved without amendments.

CLAUSE 46: Was approved without amendments.

CLAUSE 47: Was approved with amendments.

CLAUSE 48: Was approved without amendments.

CLAUSE 49: Was approved with amendments.

Schedules was approved with Amendments

CLAUSE 2: Was approved without Amendments

Long Title of the Bill: Was approved without Amendments

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the *Bungoma County Public Entertainment and Amenities Bill, 2023*.

(Hon. Jack Kawa, MCA, Chairperson, Sectoral Committee on Gender, Culture and Social Welfare)

Question put and **AGREED TO.**

HOUSE ROSE

-at Thirty Six Minutes Eleven O'clock in the Morning

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 4th October, 2023 at 2.30 P.M.*

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 4TH OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Two Minutes past Two O'clock in the Afternoon
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – The Hon. Emmanuel Situma , Speaker**
4. **COMMUNICATION FROM THE CHAIR**

VISITING DELEGATION

“Honourable Members,

With us in the gallery today, we have a visiting delegation from Royal Vision Academy Mabanga who have come to learn about management, functions of the County Assembly and how business is transacted in the House.

The delegation comprises of twenty nine pupils and two teachers namely: Mr. Ouma John and Emily Awino.

5. PAPERS

The following papers were laid on the Table;-

- I. Report by Public Accounts and Investment Committee on the Auditor General's report on the Financial Statements of the Bungoma County Government on the Bungoma County Youth and Women Empowerment Fund for the period ended 30th June, 2021.

Paper expunged from the order to be tabled in HBC for fresh rescheduling on the order paper.

- II. Report by the sectoral committee on Land, Urban Physical Planning and Housing on the Bungoma County Outdoor Advertising and signage Control and Regulation Bill, 2023

(Hon. Linda Kharakha, Member Committee on Land, Urban Physical Planning and Housing)

6. NOTICES OF MOTION

The following Notices of Motion were issued:

Report on the Sectoral committee on Land, Urban, Physical Planning and Housing on the Bungoma County Outdoor Advertising and Signage Control and Regulation Bill, 2023

THAT, this House adopts the report on the Sectoral committee on Land, Urban, Physical Planning and Housing on the Bungoma County Outdoor Advertising and Signage Control and Regulations Bill, 2023.

(Hon. Linda Kharakha, Member Committee on Land, Urban Physical Planning and Housing)

7. MOTION – REPORT BY THE SECTORAL COMMITTEE ON LABOUR RELATIONS, MEMBER SERVICE AND FACILITIES ON THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR FY 2022/2023 WITH RESPECT TO THE COUNTY PUBLIC SERVICE BOARD AND THE COUNTY ASSEMBLY SERVICE BOARD.

Motion made and Question proposed

THAT, this House adopts the Report by the Labour Relations, Member Service and Facilities on the Bungoma County Government Nine Months Financial Statements for FY 2022/2023 with respect to the County Public Service Board and the County Assembly Service Board.

(Hon. Hentry Nyongesa, Chairperson, Labour Relations, Members Service and Facilities)

Debate ensued

Mover called to Reply

Question put and **AGREED TO**

8. MOTION- REPORT BY THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT ON THE BUNGOMA COUNTY COOPERATIVE SOCIETIES BILL, 2023

Motion made and Question proposed

THAT, this House notes the report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Cooperative Societies Bill, 2023

(Hon. Wafula Waiti, Chairperson, committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)

Debate ensued

Mover called to reply

Question put and **AGREED TO**

9. BILLS - THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023

Order for Third Reading;

Motion made and Question proposed –

THAT, the Bungoma County Public Entertainment and Amenities Bill, 2023 to be now read a Third Time.

(Hon. Jack Kawa, Chairperson Committee on Gender, Culture and Social Welfare)

No debate ensued;

Question put and **AGREED TO.**

HOUSE ROSE - at Five O'clock

MEMORANDUM

The Speaker will take the Chair on

Thursday 5th October, 2023 at 2.30 p.m

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 5TH OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker.**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communications;

VISITING DELEGATION

–Honorable Members,

We with us today in the Public Gallery we have seventy pupils from Walala RC Primary School Musikoma accompanied by five teacher, who are in a learning tour on how the County Assembly operates.

Honorable Members, during the statement hour you will be allowed to say a word of encouragement to Students.

5. PAPERS

The following paper was laid on the Table;-

Report by the Auditor General on Bungoma County Assembly Members' Car Loan and Mortgage Scheme Fund for the Year ended 3th June, 2022.

(Hon. John Kirong, Deputy Majority Leader)

6. STATEMENTS AND QUESTIONS

The following statements were issued:

- 1) Hon. Members gave their points of encouragements and advice to Students from Walala RC Primary School- Musikoma.
- 2) A statement informing the County Assembly of the Weekly Business coming before the House from Wednesday 11th - Thursday 12th October, 2023. **Statement No. 60/2023**
(Hon. Cornelius Makhanu, Member of House Business Committee).
- 3) A question sought by Member for Tuuti Marakaru Ward (Hon. Joseph Nyongesa) seeking a response from the CECM, Education and Vocational

Training through the Sector Committee on Education and Vocation Training in relation to the utilization of 3% of the scholarship and bursary funds. **Question No. 58/2023**

Response not issued because the owner of the Question was not present and the Hon. Speaker directed the CECM to appear on Wednesday 11th October, 2023 in afternoon sitting.

7. MOTION –REPORT BY SECTORAL COMMITTEE ON ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS ON THE BUNGOMA COUNTY GOVERNMENT NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31ST MARCH, 2023 WITH RESPECT TO THE DEPARTMENT OF ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS.

Motion made and Question proposed –

THAT, this House adopts the report by report by sectoral Committee on Roads, Transport, Infrastructure and Public works on the Bungoma County Government nine months financial statements for the period ending 31st March, 2023 with respect to the department of roads, transport, infrastructure and public works.

(Hon. Job Mukoyandali, Member of Roads, Transport, Infrastructure and Public Works Committee)

Debate rose

Mover called to Reply

Question put and **AGREED TO.**

HOUSE ROSE - at Fifty Five Minutes past Four O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 11th October, 2023 at 9.30 a.m.*

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 11TH OCTOBER, 2023 AT 9:30 A.M

1. The House assembled thirty minutes passed Nine O'clock in the morning
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding: Hon. Emmanuel Situma, Speaker**
4. **PAPERS**

The following paper was laid:

Report by Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Climate Risk Assessment Change Action Plan 2023-2027 and Bungoma County Participatory Climate Change.

(Hon Edwin Opwora, Chairperson, Tourism, Water and Natural Resources)

5. **NOTICES OF MOTION**

The following Notice of Motion was given;

Report by Sectoral Committee, on Tourism, Environment, Water and Natural Resources on the Bungoma County Climate Risk Assessment Change Action Plan 2023-2027 and the Bungoma County Participatory Climate Change.

THAT, House adopts the Report by Sectoral Committee, on Tourism, Environment, Water and Natural Resources on the Bungoma County Climate Risk Assessment Change Action Plan 2023-2027 and the Bungoma County Participatory Climate Change.

(Hon. Edwin Opwora, Chairperson, Sectoral Committee on Tourism Water and Natural Resources)

6. **MOTION- REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE PENDING BILLS OF THE (COUNTY GOVERNMENT), COUNTY ASSEMBLY OF BUNGOMA FOR THE FINANCIAL YEARS 2018/2019-2019/2020.**

Motion made and question proposed-

THAT, this House adopts the report by the Public Accounts and Investments

Committee on the pending Bills of the (County Government), County Assembly of Bungoma for the financial years 2018/2019-2019/2020.
(Hon. Everton Nganga, Chairperson, Public Accounts and Investment Committee)

Question put and **AGREED TO**

7. THE BUNGOMA COUNTY COOPERATIVE SOCIETIES BILL, 2023.

Order for Second

Reading Motion made
and Proposed-

THAT, the Bungoma County Co-operative Societies Bill, 2023 to be read the Second Time

(Hon. Wafula Waiti, Chairperson of the Sectoral Committee on Agriculture, Fisheries, Livestock and Cooperative Development)

No debate arising;

Question put and **AGREED TO**.

8. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

Deputy Speaker in the Chair (Hon. Stephen Wamalwa)

BILLS-THE BUNGOMA COUNTY COOPERATIVE SOCIETIES BILL, 2023.

Motion Made and Proposed-

THAT, the following amendments to be moved on the Bungoma County Co-operative Societies Bill, 2023:

(Hon. Wafula Waiti, Chairperson of the Sectoral Committee on Agriculture, Fisheries, Livestock and Cooperative Development)

CLAUSE 4: Role of the County Executive Committee Member

Motion made and Question proposed-

THAT, clause 4 of the Bill be amended in paragraph (g) by deleting the words **issue guidelines and regulations appearing** before the word **facilitation**” and further delete the words –**and regulations**” appearing after the word –**growth**” substituting therefor with the words –**sustainable development**.

So as to read;

(g) to facilitate growth and sustainable development of co-operative societies;”

Question put and **AGREED TO**

CLAUSE 5: Director, Deputy Director and other officers

Motion made and Question proposed-

THAT, clause 5 of the Bill be amended;

- i. in sub-clause (1) by inserting the words –and such number of officers, as may be necessary to assist the director in the administration of this Act immediately after the word –Service”

So as to read;

“5 (1) There shall be a County Director for Co-operatives, whose office shall be an office within the county public service and such number of officers, as may be necessary to assist the director in the administration of this Act.

- ii. in sub- clause (2) by deleting the entire sub-clause.
- iii. in sub-clause (3) by inserting paragraph (f), (g) and (h) and renumber paragraph 5(f) as 5(i)

So as to read;

(f) Provisions of incentives to enhance sustainable production and marketing;

(g) Improve access to credit facilities by members of cooperatives societies;

(h) Spearhead formulation and implementation of strategies and measures in line with international and national standards for sustainable cooperatives sector in the County;

- iv. in sub-clause (4) by deleting the entire sub-clause.

Question put and **AGREED TO**

CLAUSE 6: Structure of co-operative societies

Motion made and Question proposed-

THAT, clause 6 of the Bill be amended by;

- i) deleting the words –structure of co-primary appearing before the word –cooperativell and therefor substituting word –primary;
- ii) further delete the word –cooperativell appearing immediately after the word –Level and insert the words –cooperative unions before the abbreviation –NACOs

So as to read;

The structure of co-operative is made up of primary cooperative societies

formed at the county level and in the County level cooperatives unions, NACOs and Apex societies.

Question put and **AGREED TO**

CLAUSE 18: A co-operative society to be a body corporate

Motion made and Question proposed-

THAT, clause 18 of the Bill be amended in sub-clause (2) by deleting the word **their**” and substituting therefor the word –**There**

So as to read;

There shall be a county register of Co-operative Societies into which shall be entered particulars of all registered co-operatives societies including-

Question put and **AGREED TO**

CLAUSE 36: Membership and powers of the Committee

Motion made and Question proposed-

THAT, clause 36 of the Bill be amended in sub-clause (1) by deleting the following words “**may establish membership and committees** “appearing immediately before the word “society and therefor substituting the words “**shall have a management committee**”

So as to read;

36 (1) A co-operative society shall have a management committee consisting of not less than five, and not more than nine members.

Question put and **AGREED TO**

CLAUSE 74: Winding up of co-operative societies

Motion made and Question proposed-

THAT, clause 74 of the Bill be amended in sub-clause (2) by deleting the entire sub- clause.

Question put and **AGREED TO**

CLAUSE 78: Powers of the director during liquidation

Motion made and Question proposed-

THAT, clause 78 of the Bill be amended in paragraph (d) by inserting the word **this**” immediately after the words –**conferred by**” and further replace the words –section 77 with clause

So as to read;

(d) by order in writing, in any particular case, limit the powers of the liquidator conferred by this clause;

Question put and **AGREED TO**

CLAUSE 79: Appeal against order of Liquidator or Director

Motion made and Question proposed-

THAT, clause 79 of the Bill be amended in sub-clause (1) by replacing the words –**section 77 or section 79**” appearing immediately after the word –liquidator under” with the words “**clause 77 or clause 78**”

So as to read;

(1) A person aggrieved by any order or decision of the Director or the liquidator under clause 77 or clause 78 as the case may be, may appeal against the order or decision to the Tribunal within thirty days of the order or decision.

Question put and **AGREED TO**

CLAUSE 81: Power to restrain convicted persons from being officers of the society

Motion made and Question proposed-

THAT, clause 81 of the Bill be amended by inserting the word –**or those** before word –**specified**” further delete number 81 appearing immediately after the word –**section** and therefor substituting the phrase –88 –**of this Bill**”

So as to read;

Any person who is convicted of an offence under sections of the Companies Act, 2015 or those specified in this Bill shall cease to be an officer of a co-operative society,

Question put and **AGREED TO**

NEW CLAUSE

Motion made and Question proposed-

1. **THAT**, the Bill be amended by inserting a new clause immediately after clause 3- and re-numbering Clause 4 as 5 onwards

So as to read;

Guiding principles of cooperatives

4. All persons shall, in the performance of their functions under this Act, be guided by the following principles-

(a) non-discrimination of members of cooperatives societies;

(b) voluntary and open membership;

- (c) *democratic member control;*
- (d) *autonomy and independence;*
- (e) *public participation and continuous training and awareness creation;*
- (f) *co-operation among cooperative societies;*
- (g) *concern for community in general;*
- (h) *self-responsibility and commitment in the conduct of the affairs of cooperative societies; and*
- (i) *Equity in the distribution of income derived from cooperative societies.*

Question put and **AGREED TO**

Motion made and question proposed-

- 2. THAT**, the Bill be amended by inserting a new clause immediately after clause 36

So as to read;

Supervisory Committee

37(1) – *A cooperative society shall have a supervisory Committee consisting of not more than three members.*

(2) *The supervisory committee shall –*

- a) *Evaluate programmes of the societies;*
- b) *Check minutes of the Committee and General meetings for policy matters*
- c) *Verify investment in banks, buildings, Insurance firms and stocks among others;*
- d) *Analyze expenses of the society in relation to the budget;*
- e) *Ensure that standardized accounting system is implemented in the society;*
- f) *Listen to members complaints and assist them find solution*
- g) *Seek for solutions for weaknesses in management*
- h) *Prepare and present report to the Management Committee on quarterly basis and to the annual general meeting annually;*
- i) *Receive the report of the internal auditor and take action on the same or recommend for action by the Committee.*

Question put and **AGREED TO**

SCHEDULE

Motion made and Question proposed-

THAT the schedule of the Bill be amended by:

- (a) *Deleting second last column of the schedule.*

(b) Deleting the following words – **proposed 2022/23**” appearing at the top of the last column.

Question put and **AGREED TO**

CLAUSE 2: Interpretation

Motion made and Question proposed-

THAT, clause 2 of the Bill, on the interpretation of the word –**Director**” be amended by deleting the word –**management**” appearing immediately after the word –cooperative and substituting therefor the word –**Development**” and the word “**section**” appearing after the word “**under**” to be replaced with the word “**clause**”

So as to read;

““Director means the County Director for Co-operative Development appointed under clause 6 and includes a deputy director or any person discharging the functions of the Director;

Question put and **AGREED TO**

9. HOUSE RESUMED - The Honourable Speaker in the Chair

Bill reported with amendments.

Motion made and Question proposed -

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Bungoma County Cooperative Societies Bill, 2023.

(Hon. Wafula Waiti, Chairperson of the Sectoral Committee on Agriculture, Fisheries, Livestock and Cooperative Development)

Motion made and Question proposed

THAT, the House do agree with the Committee in the said Report.

(Hon. Wafula Waiti, Chairperson of the Sectoral Committee on Agriculture, Fisheries, Livestock and Cooperative Development)

Question put and **AGREED TO.**

HOUSE ROSE- At thirty six Minutes past Eleven O'clock

MEMORANDUM

The Speaker will take the Chair on

Wednesday 11th October- 2023 at 2.30P.M

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNSDAY 11TH OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty one Minutes past Two O'clock in the Afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

Visiting students

Honorable Members,

We have with us today in the Gallery the following Students from Ekambuli Secondary School from Kakamega County, Khwisero Sub County. They are forty seven students and five who are Mr. Wasike Joseph, Miss Sikuku Millicent, Mr. Benson Eshikati, Mr. Madara Pius and Mr. Oguto Agostine.

Honorable Members, during the statement hour you will allowed to say a word of encouragement to Students from Ekambuli Secondary School from Kakamega County.

5. PAPERS

The following paper was laid on the Table;-

County Government of Bungoma Annual Report and Financial Statements for the financial year ended June 30, 2023.

(Hon Joseph Nyongesa, Leader of Majority)

It was directed that all sector Committees to extract their section for processing and report back to the House.

6. STATEMENTS/QUESTIONS

The following Question was issued; –

- i) Question No.58/2023 a member for Tuuti Marakaru ward (Hon. Joseph Nyongesa) seek a response from the CECM Education and Vocational Training through the Sectoral Committee on Education and Vocation Training in relation to the utilization of 3% of both

the scholarship and bursary funds

CECM Education and vocation training to appear before the House on 12th October, 2023 at 2:30 p.m.

The status reports on the following statements were issued;

- ii) Question No.30, 33, 47, 50, 55 seeking response from the Chairperson, Sectoral committee on Roads, Transport, Infrastructure and Public works.

Responses had been submitted awaiting Committee interrogation and reporting back

- iii) Question No. 52, 53, 58 seeking response from the chairperson sectorial committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development

Response was availed but unsatisfactory, given 14 days to submit the report to the House by 25th October 2023

- iv) Question No.46 /2023 seeking response from the Chairperson, sectoral committee on Youth and Sports

- v) *Response was availed but unsatisfactory, given 14 days to submit the report to the House by 25th October 2023*

- vi) Question No.51,57,59 of 2023 seeking response from the chairperson, sectorial committee on Lands, Urban, Physical Planning and Housing

Response was availed but unsatisfactory, given 14 days to submit the report to the House by 25th October 2023

- vii) Question No. 56/2023 seeking response from the chairperson sectoral committee on Trade, Energy and Industrialization

Response was availed but unsatisfactory, given 14 days to submit the report to the House by 25th October 2023

- viii) Hon. Members gave their points of encouragements and advice to Students from Ekambuli Secondary School from Kakamega County, Khwisero Sub County to put more efforts to their education and to have good discipline for them to succeed in life.

7. MOTION –REPORT BY THE SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDED MARCH 31ST 2023 WITH RESPECT TO THE OFFICES OF THE COUNTY SECRETARY,GOVERNOR AND DEPUTY GOVERNOR AND PUBLIC

SERVICE MANAGEMENT AND ADMINISTRATION.

Motion made and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Public Administration and ICT on nine months financial statements for the period ended March 31st 2023 with respect to the offices of the County Secretary, Governor and Deputy Governor and Public Service Management and Administration.

(Chairperson, Public Administration and ICT)

No debate rose

Question put and **AGREED TO.**

8. MOTION - REPORT BY THE SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON THE BUNGOMA COUNTY INSPECTORATE, COMPLIANCE AND ENFORCEMENT BILL, 2023

Motion made and Question proposed -

THAT, this House notes the report by the sectoral Committee on Public administration and ICT on the Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023.

(Hon. Tony Barasa, Chairperson, Sectoral Committee on Public Administration and ICT)

Debate rose

Mover called to reply

Question put and **Noted by the House**

9. BILLS –THE BUNGOMA COOPERATIVE SOCIETIES BILL,2023

Order for Third Reading;

Motion made and question proposed-

THAT, the Bungoma Cooperative Societies Bill, 2023 be now read a Third Time.

(Chairperson, Agriculture, Livestock, Fisheries and Cooperative Development)

No debate

Question put and **AGEED TO.**

Bill read a Third Time and **passed.**

HOUSE ROSE

- at twenty one minutes past five O'clock

MEMORANDUM

The Speaker will take the Chair on

Thursday, 12th October, 2023 at 2.30 p.m.

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 12TH OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Nine O'clock in the morning.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

A. VISITING STUDENTS

Honourable Members,

We have with us today in the Speaker's Gallery the following students from Milo Girls Secondary School. They are forty in number accompanied by their six teachers.

Honourable Members, the students are in the County Assembly to learn how the proceeding of the House are carried out.

Honorable Members, during the statement hour you will allowed to say a word of encouragement to Students from Milo Girls Secondary School from Sitikho Ward

5. PAPERS

The following papers were laid on the Table;-

The Public Finance Management (Bungoma County Trade Development Loans Fund) Regulations, 2023

(Hon. Johnston Ipara Chairperson, Committee on Trade Energy and Industrialization)

6. STATEMENTS

The following Statements were issued by –

1. Hon. Members gave their points of encouragements and advice to Students from Milo Girls Secondary School from Sitikho Ward to put more efforts to their education and to have good discipline for them to

succeed in life.

2. Question No.58/2023 a member for Tuuti Marakaru ward (Hon. Joseph Nyongesa seek a response from the CECM Education and Vocational Training through the sectoral committee on education and vocation training in relation to the utilization of 3% of both the scholarship and bursary funds

The response was insufficient, CECM Education and Vocational Training was given 14 days to prepare and to appear back to the House on 26th October, 2023 at 2:30 pm sitting.

7. MOTION – REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDED MARCH 31ST 2023 WITH RESPECT TO THE DEPARTMENT OF FINANCE AND ECONOMIC PLANNING

Motion made and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Finance and Economic Planning on nine months Financial Statements for the period ended March 31st 2023 with respect to the department of Finance and Economic Planning

(Hon James Barasa, the Chairperson, Finance and Economic Planning)

Debate ensued;

Mover replied;

Question put and **AGREED TO.**

8. THE BUNGOMA COUNTY INSPECTORATE, COMPLIANCE AND ENFORCEMENT BILL, 2023

Motion made and Question proposed-

THAT, the Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023 be now read a Second Time

(Chairperson, Sectoral Committee on Public Administration and ICT)

No debate arising;

Question put and **AGREED TO.**

9. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

Deputy Speaker in the Chair (Hon. Stephen Wamalwa)

THE BUNGOMA COUNTY INSPECTORATE, COMPLIANCE AND ENFORCEMENT BILL, 2023

The following amendments were moved:

(Hon. Francis Chemion on behalf of Chairperson of Sectorial Committee on Public Administration and ICT)

CLAUSE 5

Motion made and question proposed-

THAT, Clause 5 of the Bill be amended by;

- i. substituting **sub-clause 4(1)** with **5(1)**
- ii. inserting the word –County immediately before the words –Executive Member in sub-clause (2)

So as to read:

“5(2) The inspectorate shall consist of such number of officers and be constituted in such a manner and such organization as the County Executive Member may, in consultation with the County Public Service Board, determine.

Question put and AGREED TO

CLAUSE 6

Motion made and Question proposed

THAT, Clause 6 of the Bill be amended –

- i. In sub-clause (1) (b) by inserting the word –Policies|| immediately after the word –Regulations”

So as to read:

–(1) (b) enforcing the compliance with the Bungoma County Laws, Regulations and Policies.

- ii. In sub-clause (1) (f) by inserting the words, –liaising with other revenue collection agencies in enforcing|| immediately before the words –service fee.

So as to read:

(1) (f) liaising with other revenue collection agencies in enforcing service fee and land rates collection;

In sub-clause (1) (g) by deleting it in its entirety

Question put AGREED TO

CLAUSE 8

Motion made and question proposed-

THAT, clause 8 of the Bill be amended in sub-clause (1) by inserting the words –*and any other enacted regulations* immediately after the words –this Act

So as to read:

“8(1) The director shall be subject to consultation with the Executive Member exercise such powers and perform such duties as are or may be provided by or under this Act and any other enacted regulations.

Question put and AGREED TO

CLAUSE 9

Motion made and question proposed-

THAT, Clause 9 of the Bill be amended by inserting the a new sub-clause 9 (2)

So as to read:

“9(2) The recruitment shall be based on the provisions of the Constitution and other supporting laws.

Question put and AGREED TO

CLAUSE 10

Motion made and question proposed-

THAT, clause 10 of the Bill be amended in sub-clause 2 by deleting the words any of its functions to the County Secretary immediately after the words –in writingll and replacing it with the words –to the Chief Officer responsible for matters pertaining to the enforcement of County laws

So as to read:

10(2) Despite sub-section (1), the County Public Service Board may delegate any of it functions of deployment, promotion and discipline of officer, in writing, to the Chief Officer responsible for matters pertaining to the enforcement of County laws or the Director.

Question put and AGREED TO

CLAUSE 11

Motion made and question proposed-

THAT, clause 11 of the Bill be amended-

- i. by deleting the word –disciple immediately after the words – a breach of and replacing with the word –discipline in sub-clause (1)

So as to read:

11(1) The grounds constitute a breach of discipline by officers of the inspectorate which includes

- ii. by deleting the word –remissness and replacing it with the word –negligence; in paragraph (1) (e)

–e) negligence in discharge of any duty

Question put and AGREED TO

CLAUSE 12

Motion made and question proposed-

THAT, clause 12 of the Bill be amended by inserting the following new sub-clauses immediately after sub-clause (f) –

So as to read:

(g) Nature and manner of recordings to be maintained by the inspectorate;

(h) Handling of all impounds.

Motion within motion

Motion made and question proposed

THAT, Sub-clause (f)(g) to be amended by deleting the word –recording and replacing it with –records

So as to read

Nature and manner of records to be maintained by inspectorate

Debate rose

Mover called to reply

Question put and AGREED TO

CLAUSE 14

Motion made and question proposed-

THAT, clause 14 of the Bill be amended by inserting the words –*by surrender them to the police* immediately after the words –in custody in sub-clause (d),

So as to read:

d) to arrange for the proper sustenance and shelter of every person who is under arrest or in custody by surrender them to the police;

Question put and AGREED TO

CLAUSE 16:

Motion made and question proposed-

THAT, clause 16 of the bill be amended in sub-clause (2) by inserting the words or her immediately after the word –him

So as to read:

(2) An officer may restrain or removed any person resisting or refusing or omitting to conform to any direction referred to in sub-section (1) and may either take such person to a police officer or, in trivial cases, release him or her when the occasion is past.

Question put and AGREED TO

CLAUSE 18

Motion made and question proposed-

THAT, clause 18 of the Bill be amended by inserting the words “in conjunction with other law enforcement agencies immediately after the words –county laws So as to read:

18. An officer generally or specially authorized by the Executive Member may enter any shop or premises for the purpose ensuring compliance with County laws in conjunction with other law enforcement agencies.

Question put and AGREED TO

CLAUSE 21

Motion made and question proposed-

THAT, clause 21 of the Bill be amended by inserting the words *for 14 days* immediately after the words –*confinement therein* and by inserting the words *which shall attract penalties on a daily basis as shall be provided in supporting legislation and guidelines* immediately after the words –public property,

So as to read;

An officer has a duty to seize and take to any public pound for confinement therein for 14 days any animals found straying in any street or trespassing upon any public property which shall attract penalties on a daily basis as shall be provided in supporting legislation and guidelines.

Question put and AGREED TO

CLAUSE 22

Motion made and question proposed-

THAT clause 22 of the Bill be amended-

- a) by inserting the words –*in the regulation* immediately after the words –*Executive Member* in sub-clause (2)

So as to read:

(2) An officer taking charge of any property under sub-section (1) shall hand over the property in a manner as may be prescribed by the Executive Member in the regulations

- b) by substituting the words –*three months* with the words –*fourteen days* immediately after the words –*claim within* in sub-clause (3)

So as to read:

3)The executive member shall issue proclamation notice specifying unclaimed property and requiring any person who may have a claim to appear before him/her or some other officer delegated to an act in this his/her behalf to establish his/her claim within fourteen days from the date of such proclamation.

- c) by inserting the words “*upon the claimant’s payment of appropriate fees and charges* immediately after the words –*release the property* in sub-clause 5

So as to read:

(5) The Executive Member shall on being satisfied of the title of the claimant to the property referred to in this section (4) release the property upon the claimant’s payment of appropriate fees and charges.

- d) by inserting the word –*county* immediately before the word *government* in sub-clause 22 (6)

So as to read:

(6) *If no person establishes a claim to such property within the period prescribed in sub-section (4), it shall be at the disposal of the County Government.*

Question put and AGREED TO

CLAUSE 23:

Motion made and question proposed-

THAT clause 23 of the Bill be amended-

- a) by substituting the word –*may* with the word –*shall* immediately after the word –Member and deleting the words –*in the absence of any county laws* in sub-clause 1

So as it reads:

*The Executive Member shall make regulations for*by deleting sub-clauses 1)

(a) ,(b), (e), (l), (m), (n) and (p) in entirety

- b) by substituting the word – *newspaper* immediately after the word –*local* with the word –*media* in sub-clause (2)

So as to read:

(2) *The regulations made under this section shall be published in the County gazette and in the locality affected thereby by affixing copies thereof in*

conspicuous places or by advertising the same in such local media.

Question put and AGREED TO

CLAUSES 24

Motion made and question proposed-

THAT, clause 24 of the Bill be amended by inserting the words –*on* between the words –*driven and* county and deleting the word –*been* between the words not and contravened and also deleting the phrase –*in respect of any such vehicle and in order to collect cess or royalties* immediately after the words *licensing laws*

So as it reads:

24. The Executive Member may authorize the inspectorate to erect barriers on any street for the purpose of stopping temporarily vehicles driven on the County roads in order to satisfy they have not contravened licensing laws.

Question put and AGREED TO

CLAUSE 27

Motion made and question proposed-

THAT, clause 27 of the Bill be amended by substituting the word –*hundred* and the word *ten* and the words –one year with *three months*

So as to read:

27. A person who intentionally resists arrest, obstructs or interferes with the duties of an officer commits an offence and shall be liable upon conviction to a fine not exceeding ten thousand shillings or to imprisonment for a term not exceeding three months or both.

Question put and AGREED TO

CLAUSE 31

Motion made and question proposed-

THAT, clause 31 of the Bill be amended by introducing sub-clause (b),

So as to read:

(b) A complain Committee shall be formed in the regulations and will act upon the Complaints.

Question put and AGREED TO

NEW CLAUSE

Motion made and question proposed-

THAT, the Bill be amended by inserting a new clause immediately after clause 34 to read as;

Transitional

35. Any officer currently serving in any rank that may be varied by this Act in terms of educational, qualifications, shall continue doing so until his/her retirement.

Be read second time

Question put and AGREED TO

CLAUSE 2:

Motion made and question proposed-

THAT, Clause 2 of the Bill be amended by inserting the definition of –Director immediately after the definition of Relevant county organ‘ be read the second time

So as to read;

Director to mean Director of inspectorate

Question put and AGREED TO

10. HOUSE RESUMED - The Honourable Speaker in the Chair

Bill reported with amendments.

Motion made and Question proposed -

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Bungoma County Inspectorate, compliance and Enforcement Bill, 2023

(Hon. Francis Chemion, member, Sectorial Committee on Public Administration and ICT)

Motion made and Question proposed

THAT, the House do agree with the Committee in the said Report.

(Hon. Francis Chemion, member, Sectorial Committee on Public Administration and ICT)

Question put and **AGREED TO.**

11. PROCEDURAL MOTION PURSUANT TO STANDING ORDER NO.64(b)

Motion made and Question proposed

AWARE THAT various business which were directed to various committees for proceeding are still pending and that most business of the House emanates from committee activities, RECOGNIZING THAT committees need more time to process and conclude before reporting to the House, FURTHER AWARE that

several statements were committed to relevant committees on 12th September 2023 for processing and reporting back within twenty one days at the lapse of the said period, no response had been availed, NOW THEREFORE, pursuant to standing Order³⁴ of the County Assembly of Bungoma, THIS HOUSE RESOLVES to adjourn its sittings from today Thursday 12th October, 2023 to Tuesday 24th October, 2023 at 2;30 p.m. to allow committees process all the pending business before them.

(Hon. James Mukhongo on behalf of the Leader of Majority)

Debate arising

Mover replied

Question put and **AGREED TO**

HOUSE ROSE - at two minutes Past Six O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 24th October, 2023 at 2.30 p.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 24TH OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Twenty nine Minutes past Two O'clock in the Afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding –Hon. Stephen Wamalwa. Deputy Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication(s);

- I. The Speaker welcomed Honourable member back after a short recess
- II. The office of the Speaker had received the discharge of Honourable members in committees from AZIMIO collusion from their minority leader Honourable Anthony Luseneka as follows:
 - (a) Hon. Jeremiah Kuloba was discharged from Committee Implementation and placed in the Committee on Delegated County Legislation.
 - (b) Hon. Florence Juma placed to the Committee on Implementation while Hon. Aggrey Mulongo was discharged from the committee on Delegated County Legislation.
- III. Communication from the office of Governor to the Clerk of County Assembly of Bungoma submitting of name of person nominated for vetting by the County Assembly for appointment as member of the Bungoma County Public Service Board. Mr. Kikete Mung'au Siambi from Bumula Sub-county
Committed to the committee of Labour Relation, Members service and Facilities for vetting and reporting back

5. PAPERS

The following Paper was laid on the Table;

- I. Report by Implementation Committee on the Status of Implementation of Regulations passed by the House.

(Hon. Aggrey Mulongo, Chairperson Implementation Committee)

II. Report by the Powers and Privileges Committee on compliance with wealth declaration by Honourable members.

(Hon. Brigid Katasi, vice chairperson Committee on Powers and Privileges)

III. The Bungoma County Budget Review Outlook Paper FY 2022/2023.

(Hon. Joseph Nyongesa the majority leader)

Committed to the Committee on Budget and Appropriations and all sector committee to analyze their sector Budget Review.

6. NOTICES OF MOTION

The following Notice was issued;

I. REPORT BY IMPLEMENTATION COMMITTEE ON THE STATUS OF IMPLEMENTATION OF REGULATIONS PASSED BY THE HOUSE.

THAT, this House adopts the Report by implementation Committee on the Status of Implementation of Regulations passed by the House.

(Hon. Aggrey Mulongo, MCA, Chairperson Implementation Committee)

II. REPORT BY THE POWERS AND PRIVILEGES COMMITTEE ON COMPLIANCE WITH WEALTH DECLARATION BY HONOURABLE MEMBERS.

THAT, this House Adopts the Report by the powers and privileges committee on compliance with wealth declaration by Honourable members.

(Hon. Brigid Katasi, MCA, Vice Chairperson Committee on Powers and Privileges)

7. QUESTIONS AND STATEMENTS

Statement No.61/2023 informing the County Assembly of the Weekly Business coming before the House from Tuesday 24th to 26th October 2023 pursuant to S.O. 47(2)(a)

(Hon. Jackson Wambulwa, a member of House Business Committee)

8. MOTION – REPORT BY THE SECTORAL COMMITTEE ON LANDS, URBAN, PHYSICAL PLANNING AND HOUSING ON THE BUNGOMA COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL AND REGULATION BIL, 2023

Motion made and Question proposed –

THAT, this House note the Report by the Sectorial Committee on Lands, Urban, Planning and Housing on the Bungoma County Outdoor Advertising and Signage Control and Regulation Bill, 2023.

(Hon. Francis Chemion; Chairperson, Sectoral Committee on Lands, Urban, Physical Planning and Housing)

No debate ensued

Question put and **NOTED**

9. MOTION - REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON COUNTY REVENUE FUND STATEMENTS FY 2022/2023 FOR THE PERIOD ENDED DECEMBER 31ST 2022

Motion made and question proposed

THAT, this House adopts the Report by the Sectoral Committee on Finance and Economic Planning on County Revenue Fund Statements FY 2022/2023 for the period ended December 31st 2022

(Hon. Catherine Kituyi; member of the Committee on Finance and Economic Planning)

Debate rose

Mover called to reply

Question put and **AGREED TO**

10. BILLS - THE BUNGOMA COUNTY INSPECTORATE, COMPLIANCE AND ENFORCEMENT BILL 2023

Motion made and Question proposed.

THAT, a Bill of an Act of the County Assembly of Bungoma to provide for the establishment of the Bungoma County Inspectorate, Compliance and Enforcement Bill 2023 be now read a Third Reading

(Chairperson, Sectoral Committee on Public Administration and ICT)

Question put and **AGREED TO.**

HOUSE ROSE

- at Fifty Minutes passed Four O'clock

MEMORANDUM

The Speaker will take the Chair on

Wednesday 25th October, 2023 9.30 A.M.

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 25TH OCTOBER, 2023 AT 9.30 A.M

1. The House assembled at Thirty three Minutes past Nine O'clock in the morning.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding – The Hon. Stephen Wamalwa, Deputy Speaker**
4. **PAPERS**

The following papers were laid on the Table;-

- 1) Report by the Sectoral Committee on Gender, Culture and Social Welfare on the assessment of application of laws guiding the implementation of programmes by the Department of Gender and Culture
(Hon. Eunice Kirui member, Sectoral Committee on Gender, Culture and Social Welfare)
- 2) Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the status and impact of dams, irrigation schemes and water pans in the County.
(Hon. Wafula Waiti; Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)

5. NOTICES OF MOTION

The following Notices of Motion were given:

- I. **Report By the Sectoral Committee on Gender, Culture and Social Welfare on the Assessment of Application of Laws Guiding the Implementation of Programmes by the Department of Gender and Culture**

THAT, this House **adopts** the report by the Sectoral Committee on Gender, Culture and Social Welfare on the assessment of application of laws guiding the implementation of programmes by the Department of Gender and Culture, *laid on the Table of the House on Wednesday,*

25th October, 2023.

(Hon. Eunice Kirui member, Sectoral Committee on Gender, Culture and Social Welfare)

II. **Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the status and impact of Dams, Irrigation Schemes and Water Pans in the County.**

THAT, this House **adopts** the Report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the status and impact of dams, irrigation schemes and water pans in the County, *laid on the Table of the House on Wednesday, 25th October, 2023.*

(Hon. Wafula Waiti Chairperson Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)

6. MOTION - REPORT BY THE SECTORAL COMMITTEE TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES ON THE STATUS OF GARBAGE COLLECTION AND MANAGEMENT IN THE COUNTY

Motion made and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the status of garbage collection and management in the County

(Hon. Edwin Opwora Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

7. BILL- THE BUNGOMA COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL AND REGULATIONS BILL, 2023

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Bungoma County Outdoor Advertising and Signage Control and Regulations Bill, 2023 be now read a second time

(Chairperson, Lands, Urban, Physical Planning and Housing)

Debate arising;

Mover replied;

Question put and **AGREED TO**.

8. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

The First Panelist in the Chair

THE BUNGOMA COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL AND REGULATIONS BILL

THE FOLLOWING CLAUSES WERE AMENDED

CLAUSE 4

Motion made and Question Proposed

THAT, Clause 4(i) of the Bill be amended by deleting letter “b” immediately after the word –visual

So as to read;

(i) ensure protection of the environment from potential adverse impact from visual lights.

Question put and **AGREED TO**

CLAUSE 9

Motion made and Question Proposed

THAT, Clause 9(2) be amended by deleting the word to“ appearing immediately after the word presented

So as to read

(2) No advertising sign may be connected to any electricity supply without the prior written permission of the electricity supply authority concerned and such permission shall, on request by an authorized official, be presented by the owner of the advertising sign concerned.

Question put and **AGREED TO**

CLAUSE 17

Motion made and question proposed

THAT, Clause 17(1) be amended by deleting –11“ appearing after the word section and replacing it with –10

So as to read;

17(1) An advertising sign exempted in terms of Section 10(2) and relating to the development of a property and the disposal of property may be displayed, provided the following requirements are complied with

Question put **and** **AGREED TO**

CLAUSE 18

Motion made and question proposed

THAT, Clause 18(1) be amended by deleting 10“ appearing immediately after the word section and replacing it with –11“ **So as to read;**

18(1) Notwithstanding section 11(t), a sky sign may be erected on a building where the main use is residential as long as the sign has no visual impact on the occupants of the building itself or any other building in the immediate area which is used for residential purposes.

Question put and **AGREED TO**

CLAUSE 19

Motion made and question proposed

THAT, Clause 19(1) and 19 (1)(d) be amended by deleting 14“ and 14(5)“ respectively appearing after the word section and replacing the same with 18“ and 18(5)“ in that order

So as to read;

19(1) Every screen for a sky sign contemplated in section 18 shall comply with the following requirements

(d) no vertical dimension of any screen may exceed one-and-one-half times the vertical dimension of a sky sign specified in section 18(5):

Question put and **AGREED TO**

CLAUSE 22

Motion made and question proposed

THAT, Clause 22(2) be amended by deleting 4“ appearing after the word section and replacing it with 5‘

So as to read

(2)Every person to whom approval has been granted under section 5(2) in respect of an advertisement contemplated in subsection (1), but not exempted under section 9(2), shall comply with and ensure that the following requirements are complied with

Question put and **AGREED TO**

CLAUSE 24

Motion made and question proposed

THAT, Clause 24(b) be amended by deleting 10“ appearing after the word section and replacing it with –11

So as to read

(b) a third party advertisement may be painted directly onto any surface, subject to section 11(v)

Question put and **AGREED TO**

CLAUSE 25

Motion made and question proposed

THAT, Clause 25(f) be amended by deleting the word of“ appearing immediately after the word –period

So as to read

(f) a single sign not exceeding 6m2 in extent per property on a vacant non-residential property, on which the words for sale or to let and the name, address and telephone number of the owner or his or her state agent are displayed or the word sold and the name, address and telephone number of the state agent concerned, may be displayed for a period not exceeding ninety days.

Question put and AGREED TO

CLAUSE 28

Motion made and question proposed

THAT, Clause 28 be amended as follows;

i. 28(4) be amended by deleting the word –in“ appearing after the word impounded“ and deleting “2“ appearing after the word subsection and replacing it with “3“

So as to read

(4) Any transit advertising sign impounded pursuant to subsection (3) shall be kept by the department for a period of thirty days from the date of impoundment, and an authorized official shall, in writing, notify the owner of such sign of the impoundment if the address of the owner can be ascertained

ii. 28(5) be amended by deleting 2“ appearing before the word may and replacing it with 3“ and by deleting 5“ appearing before the word subject and replacing it with 4“

So as to read

(5) An owner of a transit advertising sign impounded pursuant to subsection (3) may claim such sign within the period specified in subsection (4) subject to payment of a prescribed fee.

iii. 28(6) be amended by deleting 3“ appearing before the word destroy and replacing it with 5“

So as to read

(6) The Department may, if an advertising sign is not claimed by its owner within the period of thirty days referred to in subsection (5), destroy or otherwise dispose of the advertising sign concerned.

iv. 28(7) be amended by deleting 4“ appearing after the word –subsection and replacing it with 5“.

So as to read

(7) The Department may recover the prescribed fee from any owner who has not claimed his or her transit advertising sign in terms of subsection (5).

Question put and AGREED TO

CLAUSE 29

Motion made and question proposed

THAT, Clause 29 be amended in sub clause (11) by deleting 1“ appearing after the word subsection and replacing it with 10“

So as to read

(11) The county government may recover the prescribed fee contemplated under subsection (10) from any owner who does not claim his or her poster as contemplated in that subsection.

Question put and AGREED TO

CLAUSE 30

Motion made and question proposed

THAT, Clause 30 of the Bill be amended;

In sub clause 2 by deleting –28 appearing after the word section and replacing it with 29“;

So as to read

(2) The provisions of section 29(6) (a), (b), (c), (e), (f) and (g), read with the necessary changes, shall apply in respect of any poster contemplated in this section, provided that such poster need not be placed in a frame.

ii. In sub clause (3) of the Bill be amended by deleting 28 appearing after the word section and replacing it with 29“.

So as to read

(3) The provisions of section 29(8) read with the necessary changes shall apply in respect of posters not complying with the provisions of this section.

Question put and AGREED TO

CLAUSE 31

Motion made and question proposed

THAT, Clause 31(6) be amended by deleting 1“ appearing after the word subsection and replacing it with 5“

So as to read

(6) If a notice served in terms of subsection (5) is not complied with, the

Department may, by notice in writing, require the owner of the advertising hoarding at his or her own cost to display a community message specified by the department, until that owner displays an advertisement on the hoarding concerned.

Question put and AGREED TO

CLAUSE 35

Motion made and question proposed

THAT, Clause 35(1) be amended by deleting 33“ appearing after the word section and replacing it with 34“

So as to read

(1) If any written comments representations or objections have been received in respect of an application from any interested party contemplated in section 34, the Department shall consider all such comments, representations and objections before taking a decision on the application.

Question put and AGREED TO

CLAUSE 36

Motion made and question proposed

THAT, Clause 36(3) be amended as follows:

that the word section appearing before –3“ be replaced with the word subsection“ and 3“ appearing after the word –section be deleted

So as to read

(3) If the owner of an advertising sign fails to submit an application in terms of subsection (2) within sixty days after being notified in terms of the date of an agreement in terms of subsection (1) or of a notification in terms of subsection (2), the advertising sign concerned shall be considered to be erected or displayed without such approval.

Question put and AGREED TO

CLAUSE 37

Motion made and question proposed

THAT, sub-clause (c) be amended by deleting it in its entirety and replacing it with the following, by running a copy of the notice through the electronic media or through a newspaper of nationwide circulation“

So as to read

(c) by running a copy of the notice through the electronic media or through a newspaper of nationwide circulation“

THAT, sub-clause (h) be amended by deleting the words sixteen“ and

managing“ appearing after the words at least and –the“ respectively and substituting therefor the words eighteen“ and –manager“ in that order

So as to read

(h) if the person is a partnership, firm or voluntary association, by serving a copy of the notice on a person who at the time of service is apparently in charge of the premises and apparently at least eighteen years of age, at the place of business of such partnership, firm or association or if such partnership, firm or association has no place of business by serving a copy of the notice on a partner, the owner of the firm or the chairman or secretary of the manager or other controlling body of such association, as the case may be.

Question put and **AGREED TO**

CLAUSE 39: Appeals

Motion made and question proposed

THAT, Clause 39 be amended by deleting the word department“ in its entirety and replaced with –the County Executive Committee Member“

So as to read

(1) A person whose rights are affected by a decision by an authorized official in terms of or for the purposes of this Act, may appeal against that decision to the County Executive Committee Member, by lodging a written notice of appeal, specifying the grounds of appeal, within twenty-one days of the date on which he or she was notified of that decision.

(2) The County Executive Committee Member shall commence consideration of the appeal and take a decision thereon within a reasonable time.

(3) The County Executive Committee Member shall forthwith after a decision has been taken in terms of subsection (2), notify the appellant thereof in writing.

(4) An applicant contemplated in subsection (1) may, on being notified of a decision in terms of subsection (2), apply in writing for reasons for the decision, and the County Executive Committee Member shall furnish written reasons to the applicant.

Question put and **AGREED TO**

NEW CLAUSE

Motion made and question proposed

THAT, the Bill be amended by inserting a new clause immediately after clause 2- and re-numbering Clause 3 as 4 onwards

So as to read

3. Objects and purpose of the Act

The object and purpose of the Bill is to regulate outdoor advertising and signage control, and in particular, to-

- (a) provide for regularization of applications and approvals on advertising signs in the county;
- (b) provide for requirements, exemptions and prohibitions for advertising signs;
- (c) make provisions for specific advertising signs for example signs suspended under verandas or canopies, signs on verandas or canopies over public street, project signs, pylon signs for on- premise advertising etc.

Question put and AGREED TO

CLAUSE 1: SHORT TITLE:

Motion made and question proposed

THAT, the short title be amended by deleting the words, and regulation“ immediately after the word control

So as to read

THE BUNGOMA COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL BILL, 2023

Question put and AGREED TO

9. HOUSE RESUMED - The Honourable Deputy Speaker in the Chair

Bill reported as follows;

CLAUSE 3: Application of and responsibility for complying with the Act- Was approved without amendments.

CLAUSE 4: Functions of the Department-Was approved with amendments

CLAUSE 5: Approval of advertising signs- Was approved without amendments.

CLAUSE 6: Consideration of applications- Was approved without amendments.

CLAUSE 7: Withdrawal and amendment of approvals- Was approved without amendments.

CLAUSE 8: General requirements for advertising signs- Was approved without amendments.

CLAUSE 9: Power cables and conduit signs-Was approved with amendments

CLAUSE 10: Exempt advertising signs and advertisements- Was approved without amendments.

CLAUSE 11: Prohibited signs- Was approved without amendments.

CLAUSE 12: Signs suspended under verandas and canopies- Was approved without amendments.

CLAUSE 13: Signs on verandas or canopies over public streets- Was approved

without amendments.

CLAUSE 14: Projecting signs- Was approved without amendments.

CLAUSE 15: Pylon signs for on-premises advertising- Was approved without amendments.

CLAUSE 16: Advertising signs placed flat on buildings and on bridges- Was approved without amendments.

CLAUSE 17: Signs relating to the development of properties- Was approved with amendments.

CLAUSE 18: Requirements for sky signs- Was approved with amendments.

CLAUSE 19: Screens for sky signs- Was approved with amendments.

CLAUSE 20: Signs on residential buildings, dwelling houses and dwelling units- Was approved without amendments.

CLAUSE 21: Sun-blind advertisement- Was approved without amendments.

CLAUSE 22: Advertisements on banners, flags and similar objects- Was approved without amendments.

CLAUSE 23: Advertisement on blimps- Was approved without amendments.

CLAUSE 24: Painted advertisements- Was approved with amendments.

CLAUSE 25: Advertising signs relating to selling and letting of property- Was approved with amendments.

CLAUSE 26: Other temporary advertising signs- Was approved without amendments.

CLAUSE 27: Advertisement on construction site- Was approved without amendments.

CLAUSE 28: Transit advertising- Was approved with amendments.

CLAUSE 29: Approval of posters- Was approved with amendments.

CLAUSE 30: Posters relating to election or voter registration- Was approved with amendments.

CLAUSE 31: Maintenance of signs- Was approved with amendments.

CLAUSE 32: Costs of removal and storage- Was approved without amendments.

CLAUSE 33: Documentation- Was approved without amendments.

CLAUSE 34: Public participation process- Was approved without amendments.

CLAUSE 35: Consideration of application- Was approved with amendments.

CLAUSE 36: Termination of approvals of signs- Was approved with amendments.

CLAUSE 37: Service of notices- Was approved without amendments.

CLAUSE 39: Appeal- Was approved with amendments.

CLAUSE 40: Offences and penalties- Was approved without amendments.

CLAUSE 41: Regulations- Was approved without amendments.

NEW CLAUSE: One new clause was introduced immediately after clause 2 on objects and purpose of the Act

SCHEDULE: Charges for outdoor and advertisement and signage- Was approved without amendments

CLAUSE 2: Interpretation- Was approved without amendments.

LONG TITLE: An Act of the County Assembly of Bungoma to provide for the regulation of outdoor advertisement and signage within Bungoma County, and for connected purpose- Was approved without amendments.

CLAUSE 1: Short title- The Bungoma County Outdoor Advertising and Signage Control and Regulation Bill, 2023- Was approved with amendments.

Motion made and Question proposed -

THAT, the House does agree with the Committee in the said Report.

(Chairperson, Sectoral Committee on Lands, Urban, Physical Planning and Housing)

Question put and **AGREED TO.**

HOUSE ROSE - at five Minutes to one O'clock

MEMORANDUM

The Speaker will take the Chair on

Wednesday 25th October, 2023 2.30 p.m.

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 25TH OCTOBER 2023 AT 2.30 P.M

1. The House assembled at Thirty five Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding** – Hon. Stephen Wamalwa, Deputy Speaker.
4. **PAPERS**

The following papers were laid on the Table;-

- I. Report by the Sectoral Committee on Trade, Energy and Industrialization on the status of street lighting in Bungoma County.
(Hon. Okasida Ipara, Chairperson, Sectoral Committee on Trade, Energy and Industrialization)
- II. County Government of Bungoma Receiver of Revenues Annual Financial Statements and Reports for the period ended June 30, 2023.
(Hon. Joseph Nyongesa, the Leader of the Majority Party)

5. NOTICES OF MOTION

The following Notices of Motion were issued:-

REPORT BY THE SECTORAL COMMITTEE ON TRADE, ENERGY AND INDUSTRIALIZATION ON THE STATUS OF STREET LIGHTING IN BUNGOMA COUNTY.

THAT, this House adopts the Report by the Sectoral Committee on Trade, Energy and Industrialization on the status of street lighting in Bungoma County.
(Hon. Johnston Ipara Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

6. QUESTIONS AND STATEMENTS

The following questions were issued-

1. Question No. 63/2023, Member for Township Ward (Hon. Jeremiah Kuloba–MCA) to seek a response from the Chairperson, Lands, Urban, Physical Planning and Housing in respect to space for traders within Township Ward. The Chairperson to respond to the following:
 - a. Whether the CECM is aware that small traders have been evicted and barred from selling their wares and goods from their spaces within Township Ward.
 - b. Whether there was public participation involving the CECMs for Trade, Energy and Industrialization; Finance and Economic Planning; Public Administration and ICT and traders within Township Ward prior to the actions above.
 - c. Provide information as to whether the said decision was discussed and approved at the cabinet prior to being effected.
 - d. Was the municipal manager involved in the deliberations that led to such evictions and if so, what was his input?
 - e. Provide the notices directing that all small traders to move and desist from exhibiting and selling their goods and/or providing their services in their usual areas within Township Ward.
 - f. Whether the Department has any resettlement plan in order to provide enough alternative space for small traders to operate from.
 - g. If not, let the CECM provide the timeframe within which the Department shall have set aside proper and ample space in well designated areas for small traders to operate from before any evictions are effected.
 - h. How many parcels of land have so far been purchased, fully paid for and registered in the Bungoma County Government's name for purposes of establishing market places within Township Ward?
 - i. State how much money has been set aside in the budget for purposes of designation of proper market space for small traders within Township Ward.
 - j. What mechanism has the Department put in place to ensure that traders are enlightened and informed of the various laws and regulations governing urban and physical planning in compliance with the Access to Information Act, 2016 and Article 35 of the Constitution?

Statement sought and chairperson given 14 days to respond on 8th November, 2023 at 2.30 p.m.

Response from the Chairperson, Sectoral Committee on Roads,

Transport, Infrastructure and Public Works in relation to the following question:-

2. Questions No.30/2023. Road network in Tongaren-Kiminini ward in the FY 2019/2020, 2020/2021, 2021/2022.

The owner of the statement was satisfied with the Committee response

3. Question No. 33. The status of CEF road projects in Kimaeti ward and all the remaining Wards for the period 2019-2022.

The owner of the statement was satisfied with the Committee" s response

4. Question No.47/2023.Rehabilitation of the road from Kabula Catholic Church to Naburereya done in FY 2021/2022.

The owner of the statement was satisfied with the Committee response

5. Question No.50/2023.The tendering process of the following roads; Kapsami-Kongit road, Kaptama booster Bondeni Kaboywo road, Kostoi-Chelida road, Sultan-Kapteyandet road and Kaberwa Chepkitale road;

The owner of the statement was satisfied with the Committee" s response

6. Question No.55/2023.The status of roads contracted/rehabilitated in Musikoma Ward in the FY 2022/2023.

The owner of the statement was satisfied with the Committee response

Response from the Chairperson, Sectoral Committee on Cooperative Development in relation to the following question:-

7. Question No.52/2023. Cattle Dips within Ndalu-Tabani Ward.

The owner of the statement was satisfied with the Committee" s response

8. Question No.53/2023 Field extension officers in the Department of Livestock and Fisheries. The Chairperson to respond to the following:

The owner of the statement was satisfied with the Committee response

9. Question No. 58/2023.Namasanda Dam

The owner of the statement was satisfied with the committee response

Response from the Chairperson, Sectoral Committee on Lands, Urban, Physical Planning and Housing in relation to the following Question:-

10. Question No.51/2023. Purchase of lands for various projects within Bungoma County.

The owner of the statement was satisfied with the committee response

11. Question No.57/2023. Unclear information concerning the municipality board members both for Kimilili and Bungoma.
12. Question No.59/2023. The construction of Pamus-Muyayi-Ndengelwa road

The owner of the statement was satisfied with the committee response direction

7. MOTION - REPORT BY THE SECTORAL COMMITTEE ON TRADE, ENERGY AND INDUSTRIALIZATION ON THE BUNGOMA COUNTY WEIGHTS AND MEASURES BILL, 2023

Motion made and question proposed-

THAT, this House notes the Report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Weights and Measures Bill, 2023, laid on the Table of the House on 4th October, 2023.

(Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

Debate rose

Mover replied

Motion Noted

8. MOTION - REPORT BY LIAISON COMMITTEE ON THE ACTIVITIES OF COUNTY ASSEMBLY COMMITTEES IN THE FINANCIAL YEAR JULY 2022/2023

Motion made and question proposed-

THAT, this House adopts the Report by Liaison Committee on the activities of County Assembly Committees in the financial year July 2022/2023, laid on the Table of the House on 21st September 2023

(Hon. Francis Chemion; Member, Liaison Committee).

Debate arising

Mover replied

Question put and **AGREED TO.**

9. BILL - THE BUNGOMA COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL AND REGULATION BILL, 2023

Motion made and Question proposed

THAT, A Bill for an Act of the County Assembly of Bungoma to provide for the regulation of outdoor advertisement and signage within Bungoma County and for connected purposes be read the third time

(Hon. Francis Chemion, Chairperson Sectoral Committee on Lands, Urban, Physical Planning and Housing)

*Question put and **AGREED TO***

HOUSE ROSE - at Forty five Minutes Past Five O'clock

MEMORANDUM

*The Speaker will take the Chair on
Thursday 26th October, 2023 at 2.30 p.m.*

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 26TH OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Two O'clock in the evening.
2. The proceedings were opened with prayer said by the Speaker.
3. **Presiding** – Hon. Stephen Wamalwa, Deputy Speaker.
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication(s);

- a) Hon members who were yet to submit their insurance forms to do so for processing of insurance cards.
- b) Hon members to put their phones on silent mode while in the plenary.
- c) Members to use their cards to log in o as to be captured on hansard as being present.
- d) The CECM for education was to appear in the House to respond to a statement and the he will be sitting at the front flanks as he is not a Member of the County Assembly.

5. PAPERS

The following papers were laid on the Table;-

- I. Report by the Public Accounts and Investments Committee on the Bungoma County Youth and Women Empowerment Fund for the period ended 30th June, 2021.
(Hon. Everton Nganga, MCA, Chairperson, Public Accounts and Investments Committee)
- II. County Government of Bungoma Financial Statements and Reports for the period ended June 30th, 2023
(Hon. Joseph Juma, MCA, Leader of the Majority Party)

6. NOTICES OF MOTION

REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS
COMMITTEE ON THE BUNGOMA COUNTY YOUTH AND WOMEN
EMPOWERMENT FUND FOR THE PERIOD ENDED 30TH JUNE,

2021.

THAT, this House adopts the Report by the Public Accounts and Investments Committee on the Bungoma County Youth and Women Empowerment Fund for the period ended 30th June, 2021.

(Hon. Everton Nganga, Chairperson, Public Accounts and Investments Committee)

7. STATEMENTS

The following Statements were issued:

- I. A Statement informing the County Assembly of the Weekly Business Coming before the House from Tuesday 31st – Thursday 2nd November, 2023. Pursuant to the provisions of Standing Order 47 (2) (a).

(A member of House Business Committee)

- II. It is notified that, pursuant to S.O. 47, the following Chairpersons will respond to Questions on Thursday (afternoon) 26th October, 2023

- a) Response from the **Chairperson, Sectoral Committee on Youth and Sports** in relation to the construction of the High Altitude Training Center.

The response was unsatisfactory and the Committee had directed the department to submit more information in a week's time

- b) Response from the **Chairperson, Sectoral Committee on Health Services** in relation;

- i. to the construction of Kaptalelio dispensary maternity wing in Kaptama ward and the status of all pending projects in the 45 Wards.

The response was unsatisfactory, the CECM for Health to appear before the House to shade light on the same on 9th November 2023 during the 2:30 p.m sitting

- ii. Management of Bungoma County Referral, Kimilili Sub County and Webuye County Hospitals.

The owner of the statement was away on official duty and had requested that the response be availed when he will be present

- III. It is notified that, pursuant to S.O. 55, the following County Executive Committee Member will respond to a Question:

County Executive Committee Member for Education and Vocational Training

Member for Tuuti 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 the utilization of 3% of both the scholarship and bursary funds.

The response was unsatisfactory, the CECM for education and vocational training will appear on 9th November 2023 during the 2:30 p.m sitting on the same.

8. MOTION - REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE AUDITOR GENERAL" S REPORTS ON FINANCIAL STATEMENTS OF BUNGOMA COUNTY ON BUNGOMA COUNTY YOUTH AND WOMEN EMPOWERMENT FUND FOR THE PERIOD ENDED 30TH JUNE, 2019

Motion made and Question proposed –

THAT, this House adopts the Report by the Public Accounts and Investments Committee on the Auditor General's Report on Financial Statements of Bungoma County Youth and Women Empowerment Fund for the period ended 30 June, 2019.

(Hon. Everton Nganga, Chairperson, Public Accounts and Investments Committee)

Debate ensued

9. PROCEDURAL MOTION PURSUANT TO STANDING ORDER NO.64(b)

Motion to adjourn business of the House.

(Hon. James Mukhongo, MCA, Chwele Kabuchai Ward)

Debate rose

Mover called to reply

Question put and **AGREED TO**

HOUSE ROSE - at fifty five minutes Past Five O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 31st October, 2023 at 2.30 p.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 31ST OCTOBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty two Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – The Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

**MESSAGE FROM THE GOVERNOR ON NOMINATION OF A PERSON
FOR APPOINTMENT AS A BOARD MEMBER FOR KIMILILI
MUNICIPALITY**

“Honourable Members,

Pursuant to the provisions of Standing Order No. 45, I wish to convey a message from His Excellency the Governor regarding nomination of a person for appointment as a board member for Kimilili Municipality.

In the message, Honourable Members, His Excellency the Governor conveys that, in exercise of powers conferred on him by section 14 and section 9 (c) and (d) of the Urban Areas and Cities (Amendment), Act, 2019, he nominates Mr. Peter Wanyonyi Buteyo as a Board Member for Kimilili Municipality. The Governor now seeks the approval of the nominee by this House.

Honourable Members, Standing Order 45 (3) (c), provides that, upon receipt of notification for appointment, such nomination shall stand committed to the relevant Sectoral Committee for consideration. In this regard, I hereby refer the message from H.E the Governor, together with the Curriculum Vitae and other testimonials of the nominee to the Sectoral Committee on Land, Urban, Physical Planning and Housing for consideration.

In this regard, Honourable Members, the Committee should undertake approval hearing and submit its report within the timelines provided for in the Public Appointments (County Assemblies Approval) Act, 2017

The Committee is therefore expected to immediately commence the approval process and notify the nominee and the general public of the time and place for

holding the approval hearing and upon conclusion of the hearing, table its report within the set timelines as guided.

5. PAPERS

The following papers were laid on the Table;-

1. Report by the Sectoral Committee on Health Services on the allegations of negligence, inadequate supply of drugs, corruption and under staffing at Bumula Sub-County Hospital and Ndalul Health Centre
(Hon. Jacob Psero, Member Sectoral Committee on Health Services)
2. Report by the Sectoral Committee on Finance and Economic Planning on the cause effect of revenue collection decline in some revenue streams as per the Bungoma County Receivers of Revenue Financial Statements for the period ended 31st March, 2023
Sectoral Committee on Finance and Economic Planning not available, the paper expunged from Order Paper

6. NOTICES OF MOTION

The following Notices of Motion were given:

1. Report by the Sectoral Committee on Health Services on the allegations of negligence, inadequate supply of drugs, corruption and under staffing at Bumula Sub-County Hospital and Ndalul Health Centre
(Hon. Jacob Psero, Member Sectoral Committee on Health Services)
2. Report by the Sectoral Committee on Finance and Economic Planning on the cause effect of revenue collection decline in some revenue streams as per the Bungoma County Receivers of Revenue Financial Statements for the period ended 31st March, 2023
Sectoral Committee on Finance and Economic Planning not available, the paper expunged from Order Paper

7. QUESTIONS AND STATEMENTS

The following questions were issued;

1. Question No. 65/2023

Member for Misikhu Ward (Hon Miliyah Masungu –MCA) to seek a response from the Chairperson Sectoral Committee on Roads, Transport, Infrastructure and Public Works in relation to road construction, repair and maintenance programs under Kenya Rural Roads Authority (KERRA) and the County Government for the FY 2021/2022 and 2022/2023. The Chairperson to respond

Owner of the statement away on Committee's activity referred to HBC

2. It is notified that, pursuant to S.O. 47, the following Chairperson will respond to a Question on Tuesday (afternoon) 31st October, 2023 QN.No56/2023 Response from the **Chairperson, Sectoral Committee on Trade, Energy and Industrialization** on tenders for street lighting across the County.

Owner of the statement away on Committee's activity referred to HBC

8. MOTION –REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS .COMMITTEE ON THE AUDITOR GENERAL" S REPORTS ON FINANCIAL STATEMENTS OF BUNGOMA COUNTY ON BUNGOMA COUNTY YOUTH AND WOMEN EMPOWERMENT FUND FOR THE PERIOD ENDED 30TH JUNE, 2019

(Resumption of interrupted business pursuant to Standing Order No. 35)

Chairperson, Public Accounts and Investments Committee was away on Committee's activity therefore pushed to Wednesday 1st November, 2023 at 9:30am sitting.

9. MOTION – REPORT BY THE SECTORAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES ON THE BUNGOMA COUNTY CLIMATE CHANGE ACTION PLAN 2023-2027 AND THE BUNGOMA COUNTY PARTICIPATORY CLIMATE CHANGE RISK ASSESSMENT.

(Hon. Benjamin Otsiula Member, Sectoral Committee on Tourism, Environment, Water and Natural Resources)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

10. BILLS – THE BUNGOMA COUNTY WEIGHTS AND MEASURES BILL, 2023

A Bill for an Act of the County Assembly of Bungoma to establish a legal framework to develop structures of operations to provide a mechanism for the imposition of certain fees and charges for weights and measures related activities and for related purposes

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Bungoma County Weights and Measures Bill, 2023 be now read a Second Time

(Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

Debate arising;

Mover replied; Question put and **AGREED TO.**

11. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

The Second Panelist in the Chair

THE BUNGOMA COUNTY WEIGHTS AND MEASURES BILL

AMENDMENTS

CLAUSE 3

Motion made and Question proposed

THAT, clause 3 of the Bill be amended by:

i. Inserting the word the immediately after the word of on the sub- heading. So as to read;

Objects and Purpose of the Act

ii. Inserting the letter –immediately after the letter “h”

iii. So as to read;

3. The Objects and purpose of this Act is to-

Question put and **AGREED TO.**

CLAUSE 4

Motion made and Question proposed

THAT, clause 4 of the Bill be amended in by deleting the word Deputy appearing before the word Director in the sub-heading and sub-clause (1) (a)

So as to read;

Appointment of Director Weights and Measures

4(1) (a) There shall be in the Public Service of the County an office designated as the office of the Director, Weights and Measures.

Question put and **AGREED TO.**

CLAUSE 5

Motion made and Question proposed

THAT, clause 5 of the Bill be amended by;

i. Deleting the word Deputy appearing before the word –Director in the entire clause and deleting the word many appearing before the word Assistants in sub-clause (1)

So as to read;

5(1) There shall be director weights Measures, inspectors and assistants of weights and Measures, as may be necessary for the purposes of this Act.

Deleting sub clause 5 paragraph (c) in its entirety Question put and **AGREED TO.**

CLAUSE 21

Motion made and Question proposed

THAT, clause 21 of the Bill be amended by deleting the words –*except where the Court is satisfied that the weight, measure or weighing or measuring instrument is the property of a person other than the person committing, or a person being a party to the commission of, the fraud, the Court may waive the forfeiture* after the word –forfeit

So as to read;

21. Where a fraud is committed in the use of any weight, measure, weighing or measuring, the person committing the fraud shall be guilty of an offence and the weight, measure, weighing or measuring instrument shall forfeit

CLAUSE 34

Motion made and Question proposed

THAT, clause 34 of the Bill be amended by deleting the clause in its entirety Question put and **AGREED TO.**

CLAUSE 35

Motion made and Question proposed

THAT, clause 35 of the Bill be amended by deleting the clause in its entirety Question put and **AGREED TO.**

CLAUSE 43

Motion made and Question proposed

THAT, clause 43 of the Bill be amended in sub-clause (3) by substituting the word Act appearing before the words of seizure with the word –act

So as to read;

“43(3) *Where any perishable goods have been seized under any provision of this act, the inspector who has seized the goods shall forthwith report to a magistrate the act of seizure and if the magistrate is satisfied that the goods are perishable, he may authorize the inspector to dispose of the goods as the magistrate may think fit.*

Question put and **AGREED TO.**

CLAUSE 46

Motion made and Question proposed

THAT, clause 46 of the Bill be amended in sub clause 2 paragraph (f) by deleting the word “**Deputy**” immediately before the word “**Director**”

So as to read;

(f) the performance of the functions, the exercise of powers and discharge of the duties of the Director and other weights and measures officers under this Act; and

SCHEDULE

Motion made and Question proposed

THAT, the Schedule on the Bill be amended by deleting the entire second last column with the sub heading *Approved charges 2021/22* and the column on –*proposed Charges 2022/23* by deleting the words –*proposed and 2022/23*

So as to read; *Charge*

Question put and **AGREED TO.**

CLAUSE 2

Motion made and Question Proposed

That clause 2 of the Bill be amended by:

- i. deleting the word Deputy appearing before the word –Director on the interpretation of the word –Approved So as to read; –*Approved‘ means approved by the Director, or by any other person deputed by the director to carry out examinations, grant approvals and issue certificates*
- ii. Deleting the word Deputy appearing before the word –Director|| on the interpretation of the word –Deputy Director

So as to read;

Director means the Director of Weights and Measures appointed under Section4.

Question put and **AGREED TO.**

REPORTING STAGE

Under SO.147 Report of the Committee of the Whole House

Mr. Speaker Sir, the Committee of the whole house considered the **The Bungoma County Weights and Measures Bill** as follows;

CLAUSE 3: Objects and Purpose of the Act - Was approved with amendments.

CLAUSE 4: Appointment of Deputy Director Weights and Measures-
Was approved with amendments

CLAUSE 5: Functions of Deputy Director Weights and Measures - Was approved with amendments.

CLAUSE 6: Requirement for Inspection process-Was approved without

amendments.

CLAUSE 7: **False or misleading statements-** Was approved without amendments.

CLAUSE 8: **Authorized officers-** Was approved without amendments.

CLAUSE 9: **Units of measurement-** Was approved without amendments

CLAUSE 10: **Measurement of weight-** Was approved without amendments.

CLAUSE 11: **Measurement of length-** Was approved without amendments.

CLAUSE 12: **Measurement of Time-** Was approved without amendments.

CLAUSE 13: **Measurement of electric current-** Was approved without amendments.

CLAUSE 14: **Offence to use unauthorized units of measurement-** Was approved without amendments.

CLAUSE 15: **Working standards and testing equipment-** Was approved without amendments.

CLAUSE 16: **Testing of standards and Equipment of other institutions-** Was approved without amendments.

CLAUSE 17: **Units of measurement, weights and measures lawful use for trade-** Was approved without amendments.

CLAUSE 18: **Offences for use or possession of certain weighing or measuring instruments-** Was approved with amendments.

CLAUSE 19: **Offences relating to false or unjust weights, measures or weighing or measuring instruments-** Was approved without amendments.

CLAUSE 20: **Mode of use of measure of capacity-** Was approved without amendments.

CLAUSE 21: **Offences relating to fraud in the use of weights, measures, weighing or measuring instruments-** Was approved without amendments.

CLAUSE 22: **What if weight, measure, weighing of measuring instrument is unjust? -** Was approved without amendments.

CLAUSE 23: **Offences for sale of incorrect weights, measures, weighing or measuring instruments-** Was approved without amendments.

CLAUSE 24: **- Offences in connection with stamping of weights, measures, weighing or measuring instruments -** Was approved without amendments.

CLAUSE 25: **Verification of weights, measures, weighing of measuring instruments-** Was approved without amendments.

CLAUSE 26: **Offences in connection with obstruction of inspector-** Was

approved without amendments.

CLAUSE 27: **Short weight**- Was approved without amendments.

CLAUSE 28: **Misrepresentation**- Was approved without amendments.

CLAUSE 29: **Quantity less than stated**- Was approved with amendments.

CLAUSE 30: **Incorrect statements**- Was approved with amendments.

CLAUSE 31: **Offences due to default of third person**- Was approved with amendments.

CLAUSE 32: **Making quantity known to a person**- Was approved without amendments.

CLAUSE 33: **Weighing in presence of a person**- Was approved without amendments.

CLAUSE 34: **Revenue register**- Was approved with amendments.

CLAUSE 35: **Approved forms**- Was approved with amendments.

CLAUSE 36: **Powers of entry and seizures**- Was approved without amendments.

CLAUSE 37: **An inspector authorized under this section**- Was approved without amendments.

CLAUSE 38: **Power to make test purchase**- Was approved without amendments.

CLAUSE 39: **Powers of arrest**- Was approved without amendments.

CLAUSE 40: **Employer answerable for acts of servant etc**- Was approved without amendments.

CLAUSE 41: **Liability of partners in a firm**- Was approved without amendments.

CLAUSE 42: **Offences by cooperation" s**- Was approved without amendments.

CLAUSE 43: **Disposal of seized goods**- Was approved with amendments

CLAUSE 44: **General penalties**- Was approved without amendments.

CLAUSE 45: **Prosecution of offences**- Was approved without amendments.

CLAUSE 46: **Regulations**- Was approved with amendments

SCHEDULE: - Was approved with amendments

CLAUSE 2: **Interpretation**- Was approved with amendments.

LONG TITLE: An Act of the County Assembly of Bungoma to establish a legal framework to develop structures of operations to provide a mechanism for the imposition of certain fees and charges for weights and measures related activities and for related purposes - Was

approved without amendments.

CLAUSE 1: Short title- The Bungoma County Outdoor Advertising and Signage Control and Regulation Bill, 2023- Was approved without amendments.

Motion made and Question proposed -

THAT, this House does agree with the Report of the Committee of the Whole House on its consideration of the **THE BUNGOMA COUNTY WEIGHTS AND MEASURES BILL, 2023**

(Hon. Johnson Ipara, MCA Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

Question put and **AGREED TO.**

HOUSE ROSE - at five Minutes to five O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 1st November, 2023 9.30 A.M*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 1ST NOVEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty-One Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – Hon. Emmanuel Situma, Speaker.**
4. **PAPERS**

The following paper was laid on the Table;-

- I. Report by the Committee on Justice, Cohesion and Legal Affairs on the Scrutiny of the National Cohesion and Integration Act no. 12 of 2008.
(Hon. Jacob Psero, Chairperson, Justice, Cohesion and Legal Affairs Committee)
- II. Report by the House Business Committee on the Plenary Review for the period commencing February to September, 2023.
(Hon. Stephen Wamalwa, Member of the House Business Committee)

5. NOTICES OF MOTION

The following Notices of Motion were issued;

- I. **Report by the Committee on Justice, Cohesion and Legal Affairs on the Scrutiny of the National Cohesion and integration Act no. 12 of 2008**

THAT, this House **adopts** the report by the Committee on Justice, Cohesion and Legal Affairs on the Scrutiny of the National Cohesion and integration Act no. 12 of 2008.

(Hon. Jacob Psero Chairperson, Justice, Cohesion and Legal Affairs Committee).

- II. **Report by the House Business Committee on the Plenary Review for the period commencing February to September, 2023**

THAT, this House **adopts** the report by the House Business Committee on the Plenary Review for the period commencing February to September,

2023.

(Hon Stephen Wamalwa, Member of the House Business Committee)

6. MOTION –__REPORT BY THE POWERS AND PRIVILEGES COMMITTEE ON COMPLIANCE WITH WEALTH DECLARATION BY HONOURABLE MEMBERS

Motion made and Question proposed –

THAT, this House adopts the report by the Powers and Privileges Committee on compliance with Wealth declaration by Honourable Members, *laid on the table of the House on 24th October, 2023.*

(Hon. Brigid Katasi Vice Chairperson, Powers and Privileges Committee)

Debate ensued

Mover called to Reply

Question put and **AGREED TO.**

7. BILLS – THE BUNGOMA COUNTY WEIGHTS AND MEASURES BILL, 2023

Motion made and Question proposed –

THAT, the Bungoma County Weights and Measures Bill, 2023 be now read a Third Time.

(Hon. Johnston Ipara Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

The Speaker directed that the Bill be forwarded to the Governor for accent.

8. MOTION - REPORT BY THE SECTORAL COMMITTEE ON GENDER, CULTURE AND SOCIAL WELFARE ON THE ASSESSMENT OF APPLICATION OF LAWS GUIDING THE IMPLEMENTATION OF PROGRAMS BY THE DEPARTMENT OF GENDER AND CULTURE

Motion made and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Gender, Culture and Social Welfare on the assessment of application of laws guiding the implementation of programs by the Department of Gender and Culture, *laid on the Table of the House on 25th October, 2023.*

(Hon. Maureen Wafula, Member for Sectoral Committee on Gender, Culture and Social Welfare)

Debate ensued

Mover called to Reply

Question put and **AGREED TO.**

Hon. Speaker, directed that the recommendation be forwarded to relevant

department for action.

9. MOTION - REPORT BY THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT ON THE STATUS AND IMPACT OF DAMS, IRRIGATION SCHEMES AND WATER PANS IN THE COUNTY.

Motion made and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the status and impact of Dams, Irrigation Schemes and water pans in the County, *laid on the Table of the House on 25th October, 2023*

(Hon. Waiti Wafula Waiti, Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development Committee)
Debate ensued

Mover called to Reply

Question put and **AGREED TO.**

Hon. Speaker, directed that the recommendations be forwarded to relevant department for action.

HOUSE ROSE - at Forty Five Minutes past Five O'clock

MEMORANDUM

*The Speaker will take the Chair on
Thursday 2nd November, 2023 at 2.30 p.m.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 2ND NOVEMBER, 2023 AT 2.30 P.M

1. The House assembled at forty minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding –Hon. Stephen Wamalwa, MCA, Deputy Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

A. MEDICAL INSURANCE FORMS

That the Hon Members who had not filled the medical insurance forms to do so as soon as possible.

B. ORDER IN THE HOUSE

That Hon Members should minimize movements during plenary sitting.
That they should also keep their phones on silent mode.

C. LOGGING IN FOR PLENARY

That Hon Members who have misplaced their cards to make arrangements to have them replaced to avoid inconsistencies.

5. PAPERS

The following paper was laid on the Table; -

Report by the Liaison Committee on the activities of the County Assembly Committees in the First Quarter of the FY 2023/24 (July - September, 2023) and Schedule for External Committee Meetings for Second Quarter FY 2023/24.

(Hon. Jacob Psero MCA, Member of Liaison Committee)

6. NOTICES OF MOTION

The following Notice of Motion was given;-

Report by the Liaison Committee on the activities of the County Assembly Committees in the First Quarter of the FY 2023/24 (July-September, 2023) and Schedule for External Committee Meetings for Second Quarter FY 2023/24

THAT, this House adopts Report by the Liaison Committee on the activities of the County Assembly Committees in the First Quarter of the FY 2023/24 (July-September, 2023) and Schedule for External Committee Meetings for Second Quarter FY 2023/24.

(Hon. Jacob Psero MCA, Member of Liaison Committee)

7. QUESTIONS AND STATEMENTS

The following Statement was issued –

1. Pursuant to S.O. 47 (2) (a), a Member of the House Business Committee shall inform the House of the weekly Business before House from Tuesday 7th – Thursday 9th November, 2023.

(Hon. Cornelius Makhanu, MCA Khalaba ward, Member of HBC)

2. QN.No54/2023 Response from Chairperson, Sectoral Committee on Health Services in relation to Management of Bungoma County Referral, Kimilili Sub County and Webuye County Hospitals.

Response was satisfactory.

(Hon George Makari, MCA Musikoma Ward, Chairperson Committee on Health Services)

8. MOTION - REPORT BY THE SECTORAL COMMITTEE ON TRADE, ENERGY AND INDUSTRIALIZATION ON THE STATUS OF STREET LIGHTING IN BUNGOMA COUNTY.

Motion made and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Trade, Energy and Industrialization on the status of street lighting in Bungoma County, *laid on the Table of the House on 25th October, 2023.*

(Hon. Johnston Okasida Ipara, MCA Tongaren Ward, Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

9. MOTION - REPORT BY THE SECTORAL COMMITTEE ON HEALTH SERVICES ON THE ALLEGATIONS OF NEGLIGENCE, INADEQUATE SUPPLY OF DRUGS, CORRUPTION AND UNDER STAFFING AT BUMULA SUB-COUNTY HOSPITAL AND NDALU HEALTH CENTRE.

Motion made and Question proposed –

THAT, this House adopts the report by the Sectoral Committee on Health Services on the allegations of negligence, inadequate supply of drugs, corruption

and under staffing at Bumula Sub-County Hospital and Ndaluh Health Centre,
laid on the Table of the House on 31st October, 2023

*(Hon George Makari, MCA Musikoma Ward, Chairperson Sectoral Committee
on Health Services)*

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

HOUSE ROSE - at Fifteen Minutes Past Six O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 7th November, 2023 at 2.30 P.M.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 7TH NOVEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty two Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding - Hon. Emmanuel Situma, Speaker**
4. **PAPERS**

The following papers were laid on the Table; -

- I. Report by the Sectoral Committee on Finance and Economic Planning on cause effect of revenue collection decline in some revenue streams as per the Bungoma County Receivers of Revenue Financial Statements for period ended 31st March, 2023
(Hon James Mukhongo, MCA, Chairperson, Finance and Economic Planning Committee)
 - II. Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Finance Amendment Bill, 2023
(Hon James Mukhongo, MCA, Chairperson, Finance and Economic Planning Committee)
5. **NOTICE OF MOTION**

The following Notices of Motion were given;-

- I. **Report by the Sectoral Committee on Finance and Economic Planning on cause effect of revenue collection decline in some revenue streams as per the Bungoma County Receivers of Revenue Financial Statements for period ended 31st March, 2023.**

THAT, this House adopts the report by the Sectoral Committee on Finance and Economic Planning on cause effect of revenue collection decline in some revenue streams as per the Bungoma County Receivers of Revenue Financial Statements for period ended 31st March, 2023.

(Hon James Mukhongo, MCA, Chairperson, Finance and Economic Planning Committee)

Planning Committee)

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

THAT, this House notes the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Finance Amendment Bill, 2023

(Hon James Mukhongo, MCA, Chairperson, Finance and Economic Planning Committee)

6. QUESTIONS AND STATEMENTS

The following Statements were issued by –

1. Pursuant to S.O. 47 (2) (c) the following Member will request for response from the Chairperson. Member for Misikhu Ward (Hon Miliar Masungu – MCA) sought a response from the Chairperson Sectoral Committee on Roads, Transport, Infrastructure and Public Works in relation to road construction, repair and maintenance programs under Kenya Rural Roads Authority (KERRA) and the County Government for the FY 2021/2022 and 2022/2023. *The CECM to give the response on the floor of the House on 28th November, 2023; after 21 days*
2. Pursuant to S.O. 47, the following Chairperson will respond to a Question on Tuesday (afternoon) 7th November, 2023. Response from the Chairperson, Sectoral Committee on Trade, Energy and Industrialization on tenders for street lighting across the County.

Response as per the Committee's report was satisfactory

7. MOTION – REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE AUDITOR GENERAL'S REPORT ON FINANCIAL STATEMENTS OF BUNGOMA COUNTY ON BUNGOMA COUNTY YOUTH AND WOMEN EMPOWERMENT FUND FOR THE PERIOD ENDED 30TH JUNE, 2021

Motion made and question proposed

THAT, this House adopts the report by the Public Accounts and Investments Committee on the Auditor General's Report on Financial Statements of Bungoma County Youth and Women Empowerment Fund for the period ended 30 June, 2021, *laid on the table of the House on 26th October, 2023.*

(Hon Metrine Nangalama, MCA, Member of Public Accounts and Investments

Committee)

Motion within a motion.

Motion made and proposed

Pursuant to Standing order no 66, Amendment of Motions.

Amendments on the recommendations on report by the PAIC

(Hon Stephen Wamalwa, MCA, Mitua Soysambu Ward)

Debate arising;

Question put and **AGREED TO.**

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

8. MOTION - REPORT BY THE SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING ON THE STATUS OF SAMPLED VOCATIONAL TRAINING CENTRES IN BUNGOMA COUNTY.

Motion made and question proposed

THAT, this House adopts the report by the Sectoral Committee on Education and Vocational Training on the status of sampled Vocational Training Centres in Bungoma County, *laid on the table of the House on 1st November, 2023*

(Hon J. Kennedy Wanyama, MCA Member, Sectoral Committee on Education and Vocational Training)

Motion interrupted due to lack of quorum

HOUSE ROSE

-

at Fifteen Minutes Past Five O'clock

MEMORANDUM

The Speaker will take the Chair on

Wednesday 8th November, 2023 at 9.30 A.M.

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 8TH NOVEMBER, 2023 AT 9.30 A.M

1. The House assembled at Thirty Two Minutes past Nine O'clock in the morning.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – The Hon. Emmanuel Situma, Speaker**
4. **PAPERS**

The following papers were laid on the Table;-

- I. Report by the Public Accounts and Investments Committee on Auditor General's Report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2019
(Hon. Ken Wanyama member Public Accounts and Investments Committee)
 - II. Report by the Committee on Selection on the adjustments of the Committees' Membership
(Hon. Anthony Lusenaka, MCA, Vice Chairperson, Selection Committee)
5. **NOTICES OF MOTION**

The following Notices of Motion were given:

- I. **Report by the Public Accounts and Investments Committee on Auditor General's Report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2019.**

THAT, this House adopts report by the Public Accounts and Investments Committee on Auditor General's Report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2019
(Hon. Ken Wanyama member Public Accounts and Investments Committee)

- II. **Report by the Committee on Selection on the adjustments of the Committees' Membership**

THAT, this House adopts report by the Committee on Selection on the

adjustments of the Committees' Membership

(Hon. Anthony Lusenaka, MCA, Vice chairperson Selection Committee)

6. MOTION - REPORT BY THE SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING ON THE STATUS OF SAMPLED VOCATIONAL TRAINING CENTRES IN BUNGOMA COUNTY

(Resumption of interrupted business pursuant to Standing Order No. 35)

Motion made and question proposed

THAT, this House adopt the report by Sectoral Committee on Education and Vocational Training on the Status of Sampled Vocational Training Centres in Bungoma County.

(Chairperson, Sectoral Committee on Education and Vocational Training)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

7. MOTION – REPORT BY THE COMMITTEE ON JUSTICE, COHESION AND LEGAL AFFAIRS ON THE SCRUTINY OF THE NATIONAL COHESION AND INTEGRATION ACT NO. 12 OF 2008.

Motion made and question proposed

THAT, this House adopts the report by committee on Justice, Cohesion and Legal Affairs on the Scrutiny of The National Cohesion and Integration Act No. 12 of 2008

(Hon. Everlyne Anyango vice chairperson, Justice, Cohesion and Legal Affairs Committee)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

8. MOTION - REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON THE BUNGOMA COUNTY FINANCE AMENDMENT BILL, 2023

Motion made and Question Proposed-

THAT, this House noted the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Finance Amendment Bill, 2023, *laid on the table of the House on 7th November, 2023.*

(Hon. James Mukhongo, MCA, Chairperson Finance and Economic Planning

Committee)

Debate ensued

(Business to resume in afternoon sitting)

HOUSE ROSE - at One O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 8th November, 2023 at 2.30 p.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 8TH NOVEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty two Minutes past two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – The Hon. Emmanuel Situma, Speaker**
4. **PAPERS**

The following paper was laid on the Table;-

Report by the Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2021

(Hon. Everton Nganga Chairperson, Public Accounts and Investments Committee)

5. **NOTICES OF MOTION**

The following Notice of Motion was given:

Report by the Public Accounts and Investments Committee on Auditor General's Report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2021

THAT, this House adopts report by the Public Accounts and Investments Committee on Auditor General's Report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2021

(Hon. Everton Nganga Chairperson, Public Accounts and Investments Committee)

6. **STATEMENTS**

The following Statements were issued by –

- I. Member for Tongaren Ward (Hon Ipara Okasida –MCA) to seek a response from the Chairperson Sectoral Committee on Tourism, Water, Environment and Natural Resources in respect to upgrading of Binyenya and Lukhuna boreholes.

Response to be availed on 29th November 2023

- II. Member for Milima Ward (Hon. Jerusa Aleu –MCA) to seek a response from the Chairperson Sectoral Committee on Agriculture, Livestock, Irrigation, Fisheries and Cooperative Development in respect to the management of Naitiri Dairy Cooperative Society Limited.

Response to be availed on 29th November 2023

7. MOTION - REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON THE BUNGOMA COUNTY FINANCE AMENDMENT BILL, 2023

(Resumption of interrupted business pursuant to Standing Order No. 35)

THAT, this House noted the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Finance Amendment Bill, 2023, laid on the table of the House on 7th November, 2023.

(Chairperson Finance and Economic Planning Committee)

Debate ensued

Mover called upon to reply

8. MOTION – REPORT BY HOUSE BUSINESS COMMITTEE ON THE PLENARY REVIEW FOR THE PERIOD COMMENCING FEBRUARY TO SEPTEMBER, 2023

Motion made and Question proposed -

THAT, this House adopts the report by House Business Committee on the Plenary Review for the period commencing February to September, 2023.

(Hon. Stephen Wamalwa, Member, House Business Committee member)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

9. BILLS – THE BUNGOMA COUNTY FINANCE AMENDMENT BILL, 2023

An Amendment Bill for an Act of the County Assembly of Bungoma to provide for revision of the various taxes, fees and charges for the service and for revenue raising measures by the County Government, and for matters incidental thereto.

Order for Second Reading read;

Motion made and Question proposed-

THAT, the Bungoma County Finance Amendment Bill, 2023 be now read a Second Time.

(Chairperson, Sectoral Committee on Finance and Economic Planning)

No debate arising;

Question put and **AGREED TO.**

10. COMMITTEE OF THE WHOLE HOUSE

IN THE COMMITTEE

THE BUNGOMA COUNTY FINANCE AMENDMENT BILL, 2023

Second schedule: Agriculture, Livestock, Veterinary and Fisheries

Motion made and Question proposed

THAT, Second Schedule be amended on item code number 1- 2450 agricultural produce Cess

Description of fee or

Unit of measure	Proposed Charges	Committee recommended
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a) Pick up per trip	2500	500
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b) Trailer per trip	4,000	700
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c) Canter (4-5 tons) per trip	4,000	500
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d) Lorry (7- 10 tons) per trip	7,000	2,000
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e) Lorry above 10tons per trip	10,000	3,000
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Question put and **AGREED TO.**

Eleventh Schedule: Roads, Public Works and Transport

Motion made and Question proposed

THAT, the Eleventh Schedule be amended on item code number 1- 6741 parking fees

Description of fee or

Unit of measure	Proposed Charges	Committee recommended
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2023 charges

Tuk-tuk per Month	1000	600
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Question put and **AGREED TO.**

Thirteenth schedule: Trade, Energy and Industrialization

Motion made and Question proposed

THAT, the Thirteenth schedule be amended on item code number 345 Trade licensing

Description of fee or

Unit of measure recommended	Proposed charges	Committee
a) Medium cold storage facility		
From 101m2 to 1000m2 insulated walls per year	30,000	
25,000		
b) Small cold storage facility up to 100m2 insulated walls cold production		
Equipment per year	20,000	
17,000		

Question put and **AGREED TO.**

Long title

Motion made and Question proposed

THAT, the long title of the Bill be amended by deleting the words amendment Bill appearing on the long title and therefor substituting with the words ***A BILL for AN ACT***

So as to read ***“A BILL for AN ACT of the County Assembly of Bungoma to provide for revision of the various taxes, fees and charges for services, and for other revenue raising measures by the County Government; and for matters incidental thereto.”***

Question put and **AGREED TO.**

Short title and commencement

Motion made and Question proposed-

THAT, the short title and commencement be amended by deleting the word ***Bill*** appearing immediately after the word This and substituting with therefor the word ***Act*** substituting therefor with the word ***“Act”*** so as to read ***“this Act may be cited as the Bungoma County Finance Amendment Act 2023 and shall come into operation or be deemed to have into operation on such a date as the County Executive Committee Member for Finance and Economic Planning, with the concurrence of the H.E the Governor, may appoint and different dates may be appointed for different provisions”***

Question put and **AGREED TO.**

11. HOUSE RESUMED - The Honourable Speaker in the Chair

The Committee of the Whole House considered the Bungoma County Finance Amendment Bill, 2023 as follows;

- i. SECOND SCHEDULE – Agriculture, Livestock, Veterinary and Fisheries: Was approved with amendments
 - ii. ELEVENTH SCHEDULE – Roads, Public Works and Transport: Was approved with amendments
 - iii. THIRTEENTH SCHEDULE– Trade, Energy and Industrialization: Was approved with amendments
 - iv. Long title: Was approved with amendments
 - v. Short title and commencement: Was approved with amendments
- Motion made and Question proposed -

THAT, this House does agree with the Report of the Committee of the Whole House on its consideration of the **the Bungoma County Finance Amendment Bill, 2023**

(Hon. James Mukhongo, MCA, Chairperson Finance and Economic Planning Committee)

Question put and **AGREED TO.**

HOUSE ROSE - at sixteen minutes past Four O'clock

MEMORANDUM

*The Speaker will take the Chair on
Thursday 9th November, 2023 at 2:30 p.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY THIRD SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 9TH NOVEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Two Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding –Hon. Stephen Wamalwa, MCA, Deputy Speaker**
4. **MOTION- REPORT BY THE COMMITTEE ON SELECTION ON THE ADJUSTMENTS OF THE COMMITTEES MEMBERSHIP.**

THAT, this House adopts the report by the Committee on Selection on the adjustments of the Committees' Membership, *laid on the Table of the House on 8th November, 2023.*

(Hon Anthony Lusenaka, MCA, Vice chairperson Selection Committee)

Debate ensued

Mover called upon to reply

Question put and **AGREED TO.**

5. **BILLS – THE BUNGOMA COUNTY FINANCE AMENDMENT BILL, 2023**

An Amendment Bill for an Act of the County Assembly of Bungoma to provide for revision of the various taxes, fees and charges for the service and for revenue raising measures by the County Government, and for matters incidental thereto.

Motion made and Question proposed –

THAT, The Bungoma County Finance Amendment Bill, 2023 be now read a Third Time.

(Hon. Barasa Mukhongo, MCA, Chairperson, Sectoral Committee on Finance and Economic Planning)

Debate arising;

Question put and **AGREED TO.**

Bill read a Third Time and **passed.**

HOUSE ROSE - at twenty minutes Past Four O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 21st November, 2023 at 2.30 P.M.*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 21ST NOVEMBER, 2023 AT 2:30P.M

1. The House assembled at Thirty five minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. Presiding- **Hon. Emmanuel Situma, Speaker**
4. **COMMUNICATION FROM THE CHAIR**

In the Public Gallery were four officers from Turkana County Assembly on a benchmarking exercise; Mr. Dre Edaan, Ms. Millicent Nang'or, Mr. Cosmas Namaa and Pascal Ewesit.

5. **MESSAGES**

A notification and submission pursuant to SO 45 and 45(3) by H.E the Governor, of a nominee for the appointment to the position of the County Secretary and Head of Public Services, pursuant to Section 44 of the County Government Act, 2012. The name of Mr. William Makhanu Nasong'o for vetting and approval by the Assembly.

The name was committed to the committee on Appointments for vetting and reporting to the House within the provisions of the relevant laws.

6. **PAPERS**

The following papers were laid on the table;

- I. The Bungoma County Government 1st Supplementary Budget for the FY 2023/2024.
Hon. Juma Joseph, MCA, Leader of Majority Party
Committed to committee on Budget and Appropriations for processing.
- II. The Bungoma County Internship Policy
Hon. Juma Joseph, MCA, Leader of Majority Party a
Committed to committee on Public Administration and ICT for processing.
- III. The short term Contractual Policy for Bungoma County Public Services
Hon. Juma Joseph, MCA, Leader of Majority Party

Committed to committee of Public Administration for processing

IV. Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan FY 2024/2025
(Hon. James Mukhongo, MCA, Chairperson, Finance and Economic Planning Committee)

V. Report by the Sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of Mr. Peter Wanyonyi Buteyo as a Board Member for Kimilili Municipality.
(Hon. Francis Chemion, MCA, Chairperson, Lands, Urban, Physical Planning and Housing)

7. NOTICES OF MOTION

The following Notices of Motion were issued;

I. **Report by the sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan FY 2024/2025**

THAT, this House adopts the Report by the sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan FY 2024/2025

(Hon. James Mukhongo, MCA, Chairperson, Finance and Economic Planning Committee)

II. **Report by the sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of Mr. Peter Wanyonyi Buteyo as a Board Member for Kimilili Municipality**

THAT, this House adopts the Report by the sectoral Committee on Lands, Urban, Physical Planning and Housing on the vetting of Mr. Peter Wanyonyi Buteyo as a Board Member for Kimilili Municipality.

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

8. QUESTIONS AND STATEMENTS

The following statement was issued by;

It is notified that, pursuant to S.O 47 (2) (a), a statement informing the County Assembly of the Weekly Business coming before the House from today Tuesday 21st Thursday 23rd November, 2023.

(Hon. Cornelius Makhanu, MCA, Member House Business Committee)

9. MOTIONS - REPORT BY THE SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON THE INQUIRY INTO UTILIZATION

OF FUNDS ALLOCATED TO RECOVERY OF COUNTY AUTOMOBILES.

Motion made and question proposed -

THAT, this House adopts the Report by the Sectoral Committee on Public Administration and ICT on the inquiry into utilization of funds allocated to recovery of County Automobiles laid on the table of the House on 1st November, 2023.

(Hon. Tony Barasa, Chairperson, Sector Committee on Public Administration and ICT)

Debate arose

Motion made and proposed that

THAT, adjournment debate under S.O 64; that the committee to do a more comprehensive report

(Hon. George Makari, MCA, Musikoma Ward)

Question put and AGREED TO

10. MOTIONS - REPORT BY THE LIAISON COMMITTEE ON THE ACTIVITIES OF THE COUNTY ASSEMBLY COMMITTEES IN THE FIRST QUARTER OF FY 2023/2024 (JULY- SEPTEMBERS, 2023) AND THE SCHEDULE FOR EXTERNAL COMMITTEE MEETINGS FOR THE SECOND QUARTER FY 2023/2024

Motion made and question Proposed -

THAT, this House adopts the Report by the Liaison Committee on the activities of the County Assembly Committees in the first quarter of FY 2023/2024 (July- Septembers, 2023) and the schedule for external Committee meetings for the second quarter FY 2023/2024 laid on the Table of the House on 2nd November, 2023.

(Hon. Stephen Wamalwa, Chairperson, Liaison Committee)

Debate arose

Mover called to reply

Question put and **AGREED TO**

11. THE BUNGOMA COUNTY GOVERNMENT 1ST SUPPLEMENTARY BUDGET APPROPRIATIONS BILL, 2023

Order for First reading read;

Bill read a First time and referred to the Budget and Appropriations Committee

HOUSE ROSE - at 17:25 P.M.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 22nd November, 2023 at 9:30 A.M*

-XXX-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 22ND NOVEMBER, 2023 AT 9.30 A.M

1. The House assembled at Thirty three Minutes past Nine O'clock in the morning.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding – The Hon. Steven Wamalwa, MCA, Deputy Speaker**
4. **PAPERS**

The following papers were laid on the Table;-

1. Report from the Office of the Auditor General on Bungoma County Youth and women empowerment fund for the year ended 30th June, 2022
(Leader of the majority party, committed to PAIC Committee)
2. Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Revenue Fund Statement FY 2022/2023 for the period ended June 30th, 2023
(Hon. Christine Mukhongo member, Sectoral Committee on Finance and Economic Planning)

5. NOTICES OF MOTION

The following Notice of Motion was given;

Report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Revenue Fund Statement FY 2022/2023 for the period ended June 30th, 2023

THAT, this House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Revenue Fund Statement FY 2022/2023 for the period ended June 30th, 2023

(Hon. Christine Mukhongo member, Sectoral Committee on Finance and Economic Planning)

6. MOTION - REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON THE BUNGOMA COUNTY ANNUAL DEVELOPMENT PLAN FY 2024/2025

Motion made

THAT, this House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan FY 2024/2025

(Chairperson, Sectoral Committee on Finance and Economic Planning)

(Interrupted business pursuant to Standing Order No. 33)

HOUSE ROSE - at 1 O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 22nd November, 2023 2.30 p.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 22ND NOVEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty five Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding – The Hon. Steven Wamalwa, MCA, Deputy Speaker**
4. **PAPERS**

The following papers were laid on the Table;-

1. Report by the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the implementation status of Ward based projects FY 2021/2022 as at October, 2023.
(Hon. Franklin Simotwo Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works)
2. Report by the Sectoral Committee on Land, Urban, Physical Planning and Housing on the House inventory report by the Department Land, Urban, Physical Planning and Housing
(Hon. Angeline Rugut member, Sectoral Committee on Land, Urban, Physical Planning and Housing)
3. Report by Sectoral Committee on Labour Relations, Members Service and Facilities on the vetting of a nominee for appointment as a Member of the Bungoma County Public Service Board.
(Hon. Hentry Nyongesa Chairperson, Sectoral Committee on Labour Relations, Members Service and Facilities)

5. NOTICES OF MOTION

The following Notices of Motion were given:

1. **Report by the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the implementation status of Ward based projects FY 2021/2022 as at October, 2023**

THAT, this house adopts report by the Sectoral Committee on Roads, Transport, Infrastructure and Public Works on the implementation status of

Ward based projects FY 2021/2022 as at October, 2023

(Hon. Franklin Simotwo Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works)

2. Report by the Sectoral Committee on Land, Urban, Physical Planning and Housing on the House inventory report by the Department Land, Urban, Physical Planning and Housing

THAT, this house adopts report by the Sectoral Committee on Land, Urban, Physical Planning and Housing on the House inventory report by the Department Land, Urban, Physical Planning and Housing.

(Hon. Angeline Rugut member, Sectoral Committee on Land, Urban, Physical Planning and Housing)

3. Report by Sectoral Committee on Labour Relations, Members Service and Facilities on the vetting of a nominee for appointment as a Member of the Bungoma County Public Service Board

THAT, this House adopts report by Sectoral Committee on Labour Relations, Members Service and Facilities on the vetting of a nominee for appointment as a Member of the Bungoma County Public Service Board.

(Hon. Hentry Nyongesa Chairperson, Sectoral Committee on Labour Relations, Members Service and Facilities)

6. MOTION - REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON THE BUNGOMA COUNTY ANNUAL DEVELOPMENT PLAN FY 2024/2025

Question Proposed

THAT, this House adopts the report by the Sectoral Committee on Finance and Economic Planning on the Bungoma County Annual Development Plan FY 2024/2025

(Hon. James Mukhongo Chairperson, Sectoral Committee on Finance and Economic Planning)

(Resumption of business pursuant to Standing Order 33)

Debate arising;

Amendment

THAT, Modern market to be built in Tongaren as in Chwele

(Hon. Johnstone Ipara, MCA, Tongaren Ward)

Debate arising;

Mover replied;

Question put and **AGREED TO.**

Mover replied;

Question put and **AGREED TO** with amendments

7. MOTION - REPORT BY THE REPORT BY THE SECTORAL COMMITTEE ON LAND, URBAN, PHYSICAL PLANNING AND HOUSING ON THE VETTING OF MR. PETER WANYONYI BUTEYO AS A BOARD MEMBER FOR KIMILILI MUNICIPALITY

Motion made and question proposed –

THAT, this House adopts the report by Sectoral Committee on Land, Urban, Physical Planning and Housing on the vetting of Mr. Peter Wanyonyi Buteyo as a board member of Kimilili Municipality

(Hon. Wafula Waiti member, Sectoral Committee on Sectoral Committee on Land, Urban, Physical Planning and Housing)

Debate arising;

Mover replied;

Question put and **AGREED TO**.

8. MOTION - REPORT BY SECTORAL COMMITTEE FINANCE AND ECONOMIC PLANNING ON THE CAUSE EFFECT OF REVENUE COLLECTION DECLINE IN SOME REVENUE STREAMS AS PER THE BUNGOMA COUNTY RECEIVERS OF REVENUE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31ST MARCH, 2023

Motion made and question proposed-

THAT, this House adopts the report by Sectoral Committee Finance and Economic Planning on the cause effect of revenue collection decline in some revenue streams as per the Bungoma County receivers of revenue financial statements for the period ended 31st March, 2023

(Hon Catherine Kituyi, Member, Sectoral Committee Finance and Economic Planning)

Debate arising;

Mover replied;

Question put and **AGREED TO**.

9. MOTION - ADJOURNMENT OF THE HOUSE PURSUSNT TO STANDING ORDER 34

(Hon. Tony Barasa, MCA, Lwandayi Ward)

Motion made and proposed

Debate arising;

Mover replied;

Question put and **AGREED TO.**

HOUSE ROSE - at Thirty minutes past 6 O'clock

MEMORANDUM

*The Speaker will take the Chair on
Thursday 23rd November, 2023 at 2.30 p.m*

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**COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 23RD SEPTEMBER, 2023 AT 2.30 P.M**

1. The House assembled at Thirty Minutes past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Deputy Speaker
3. **Presiding – Hon. Wamalwa Stephen, MCA, Deputy Speaker.**
4. **PAPERS**

The following paper was laid on the Table; -

Report by the Sectoral Committee on Youth Affairs and Sports on the status of Maeni Youth Empowerment Center and Chemoge High Altitude Training Centre.

(Hon Cornelius Makhanu, MCA, Member, Sectoral Committee on Youth Affairs and Sports)

5. **NOTICE OF MOTION**

The following Notice of Motion was given

Report by the Sectoral Committee on Youth Affairs and Sports on the status of Maeni Youth Empowerment Center and Chemoge High Altitude Training Centre

THAT, this House adopts the Report by the Sectoral Committee on Youth Affairs and Sports on the status of Maeni Youth Empowerment Center and Chemoge High Altitude Training Centre

(Hon Cornelius Makhanu, MCA Khalaba, Member, Sectoral Committee on Youth Affairs and Sports)

6. **QUESTIONS AND STATEMENTS-**

The following statement was issued;-

Pursuant to S.O. 47 (2) (a), a Member of the House Business Committee shall inform the House of the Weekly Business of the House for the week commencing 28th to 30th November, 2023.

(Hon Okasida Ipara, MCA, Member, House Business Committee)

7. **MOTION - REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE AUDITOR" S GENERAL" S**

REPORT ON THE FINANCIAL STATEMENTS OF THE BUNGOMA COUNTY BURSARY FUND FOR THE PERIOD ENDED 30TH JUNE, 2019

Motion Made and question proposed; -

THAT, this House adopts the report by the Public Accounts and Investments Committee on the Auditor's General's report on the Financial Statements of the Bungoma County bursary fund for the period ended 30th June, 2019 *laid on the Table of the House on 8th November, 2023*

(Resumption of the Motion pursuant to Standing Order No. 35)

(Hon. CPA Nganga Everton, MCA, Chairperson, Public Accounts and Investments Committee)

8. MOTION WITHIN A MOTION

PROCEDURAL MOTION - LIMITATION OF DEBATE

Motion Made-

THAT, Pursuant to Standing Order 109, Debate be limited to two minutes for each member who wish to contribute

(Hon. Edwin Opwora, MCA Chairperson, Tourism, Environment, Water and Natural Resources Committee)

Motion declined due to lack of seconder

Debate arising;

9. MOTION WITHIN A MOTION

PROCEDURAL MOTION - ADJOURNMENT OF DABATE

Motion Made and question proposed; -

THAT, the Report by the Public Accounts and Investments Committee on the Auditor's General's report on the Financial Statements of the Bungoma County bursary fund for the period ended 30th June, 2019 be adjourned and recommendations be relouked.

(Hon. George Makari, MCA Musikoma Ward Chairperson, Health Services Committee) Debate arising; Question put and **AGREED TO.**

10. MOTION - REPORT BY THE SECTORAL COMMITTEE ON LABOUR RELATIONS, MEMBERS SERVICE AND FACILITIES ON THE VETTING OF A NOMINEE FOR APPOINTMENT AS A MEMBER OF THE BUNGOMA COUNTY PUBLIC SERVICE BOARD

Motion Made and question proposed; -

THAT, this House adopts report by the Sectoral Committee on Labour Relations, Members Service and Facilities on the vetting of a nominee for appointment as a Member of the Bungoma County Public Service Board *laid on the Table of the House on 22nd November, 2023*

(Hon. Hentry Nyongesa, MCA Bumula Ward, Chairperson, Sectoral Committee on Labour Relations, Members Service and Facilities)

Debate arising;

Mover replied;

Question put and **AGREED TO.**

11. MOTION - REPORT BY THE SECTORAL COMMITTEE ON LAND, URBAN, PHYSICAL PLANNING AND HOUSING ON THE HOUSE INVENTORY REPORT BY THE DEPARTMENT LAND, URBAN, PHYSICAL PLANNING AND HOUSING

Motion Made and question proposed; -

THAT, this House adopts report by the Sectoral Committee on Land, Urban, Physical Planning and Housing on the House inventory report by the Department Land, Urban, Physical Planning and Housing laid on the Table of the House on 22nd November, 2023.

(Chairperson, Sectoral Committee on Sectoral Committee on Land, Urban, Physical Planning and Housing)

12. MOTION WITHIN A MOTION

PROCEDURAL MOTION-EXTENSION OF SITTING TIME

Motion Made and question proposed; -

THAT, this House extends its Hours of Debate to dispense report by the Sectoral Committee on Land, Urban, Physical Planning and Housing on the House inventory report by the Department Land, Urban, Physical Planning and Housing

There being no member wishing to contribute

Question put and **AGREED TO.**

Debate arising; Mover replied;

Question put and **AGREED TO.**

HOUSE ROSE - at Five Minutes to Seven O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 28th November, 2023 at 2.30 P.M.*



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 28TH NOVEMBER, 2023 AT 2:30P.M.

1. The House assembled at Thirty five minutes past two O'clock in the afternoon.
2. The proceedings were opened with prayer said by Speaker
3. Presiding - **Hon. Emmanuel Situma, Speaker**

4. PETITIONS

THAT, this House **NOTES** the report by Justice , Cohesion and Legal Affairs Committee on the Petition by Emoyo Yefwe International on the Market construction for Mobile Traders at Dinah Flyover Webuye laid on the Table of the House today 28th November, 2023.

(Hon. Francis Chemion, Member, Justice, Cohesion and Legal Affairs Committee)

The Clerk pursuant to S.O 225(3) to notify the petitioners of the decisions of the House.

5. PAPERS

The following papers were laid on the Table;

- I. Report by the Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of the Bungoma County Trade and Development Fund for the period ended 30th June, 2021.
(Hon. Everton Nganga, MCA, Chairperson, Public Accounts and Investments Committee)
- II. Report by the Sectoral committee on Land, Urban, Physical Planning and Housing on the protest letter against transfer of the manager, Bungoma Municipality.
(Hon. Eunice Kirui, MCA, Member, Land, Urban, Physical Planning and Housing)

6. NOTICES OF MOTION

The following Notice of Motion was given:

I. Report by the Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of the Bungoma County Trade and Development Fund for the period ended 30th June, 2021

THAT, this House adopts the Report by the Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of the Bungoma County Trade and Development Fund for the period ended 30th June, 2021.

(Hon. Everton Nganga, MCA, Chairperson, Public Accounts and Investments Committee)

II. Report by the Sectoral committee on Land, Urban, Physical Planning and Housing on the protest letter against transfer of the manager, Bungoma Municipality

THAT, this House adopts the Report by the Sectoral committee on Land, Urban, Physical Planning and Housing on the protest letter against transfer of the manager, Bungoma Municipality.

(Hon. Eunice Kirui, MCA, Member, Land, Urban, Physical Planning and Housing)

7. QUESTIONS AND STATEMENTS

The following statement was to be responded to;

Question by Member for Misikhu Ward, Hon. Miliyah Masungu- MCA to seek a response from the CECM Roads, Infrastructure and Public Works in relation to road construction, repair and maintenance programs under Kenya Rural Roads Authority (KERRA) and the County Government for the FY 2021/2022 and 2022/2023.

Response Aailed by the CECM Roads, Infrastructure and Public Works

Response Satisfactory

8. MOTIONS - Report by the Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2021.

Motion made and question proposed -

THAT, this House adopts the *Report by the Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of the Bungoma County Bursary Fund for the period ended 30th June, 2021* laid on the

Table of the House on 8th November, 2023.

(Hon. Everton Nganga, MCA, Chairperson, Public Accounts and Investments Committee)

Debate arose

Mover called to reply

Question put and **AGREED TO**

9. MOTION - Report by the Sectoral committee on Finance and Economic Planning on the Bungoma County Revenue Fund Statement FY 2022/2023 for the period ended 30th June , 2023

Motion made and Question proposed -

THAT, this House adopts the Report by the Sectoral committee on Finance and Economic Planning on the Bungoma County Revenue Fund Statement FY 2022/2023 for the period ended 30th June, 2023.

(Hon. Francis Chemion, MCA, Member, Finance and Economic Planning Committee)

Debate arose

Mover called to reply

Question put and **AGREED TO**

HOUSE ROSE - at 5:13 P.M.

MEMORANDUM

The Speaker will take the Chair on

Wednesday 29th November, 2023 at 9:30 A.M.

-XXX-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 29TH NOVEMBER, 2023 AT 9:30 A.M

1. The House assembled at thirty one minutes past nine thirty o'clock in the morning.
2. The proceedings were opened with prayers said by Hon. Speaker
3. Presiding - **Hon. Emmanuel Situma, Speaker**

4. PAPERS

The following paper was laid;

Report by Public Accounts and Investment Committee on Auditor General's report on Financial Statements of Bungoma County Trade and Development Fund for the period ended 30th June, 2022.

(Hon. John Wanyama; Member Public Accounts and Investment Committee)

5. NOTICES OF MOTIONS

The following notice of motion was issued;

Report by the Public Accounts and Investment Committee on Auditor General's Report on Financial Statements of Bungoma County Trade and Development Fund for the period ended 30th June, 2022.

THAT, the House adopts the report by the Public Accounts and Investment Committee on Auditor General's Report On The Financial Statements Of The Bungoma County Trade and Development Fund For The Period Ended 30th June, 2022.

(Hon. John Wanyama, Member Public Accounts and Investment Committee)

6. MOTION-REPORT BY THE SECTORAL COMMITTEE ON ROADS, TRANSPORT ,INFRASTRUCTURE AND PUBLIC WORKS ON THE IMPLEMENTATION STATUS OF WARD BASED PRJECTS FY 2021/2022 AS AT OCTOBER, 2023

Motion made and question proposed-

THAT, the House adopts the report by the Sectoral Committee on Roads,

Transport, Infrastructure and Public Works on the Implementation Status of Ward Based Projects FY 2021/2022 as at October, 2023

(Hon. Godfrey Mukhwana, MCA, Member committee on Roads, Transport, Infrastructure and Public Works)

Debate ensued

Question put and **AGREED TO**

7. MOTION- REPORT BY THE SECTORAL COMMITTEE ON YOUTH AFFAIRS AND SPORTS ON THE STATUS OF MAENI YOUTH EMPOWERMENT CENTER AND CHEMOGE HIGH ALTITUDE TRAINING CENTER

Motion made and question proposed-

THAT, this House adopts the report by the sectoral committee on Youth Affairs and Sports on the Status of Maeni Youth Empowerment Center and Chemoge High Altitude Training Center

(Hon. Allan Nyongesa, MCA, Member Committee on Youth Affairs and Sports)

Motion interrupted in accordance with Standing Order 33 (2)

HOUSE ROSE - at ten minutes past Twelve O'clock.

MEMORANDUM

The Speaker will take the Chair on

Wednesday 29th November, 2023 at 2:30P.M

-XXX-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS

WEDNESDAY 29TH NOVEMBER, 2023 AT 2.30 P.M

1. The House assembled at Half past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker
3. **Presiding – The Hon. Emmanuel Situma, Speaker**
4. **MOTION - REPORT BY THE SECTORAL COMMITTEE ON YOUTH AFFAIRS AND SPORTS ON THE STATUS OF MAENI YOUTH EMPOWERMENT CENTER AND CHEMOGE HIGH ALTITUDE TRAINING CENTRE** (Resumption of debate pursuant to Standing Order 35)

Motion made and question proposed -

THAT, this House adopts the report by the Sectoral Committee on Youth Affairs and Sports on the status of Maeni Youth Empowerment Center and Chemoge High Altitude Training Centre

Debate continued;

Mover replied;

Question put and **AGREED TO.**

5. **MOTION - REPORT BY PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON AUDITOR GENERAL" S REPORT ON THE FINANCIAL STATEMENTS OF THE BUNGOMA COUNTY TRADE AND DEVELOPMENT FUND FOR THE PERIOD ENDED 30TH JUNE, 2021.**

Motion made and question proposed -

THAT, this House adopts the report by Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of Bungoma County Trade and Development Fund for the period ended 30th June, 2021.

(Hon. Everton Nganga, Chairperson, Public Accounts and Investments Committee)

(Interruption of motion scheduled to 30/11/23 2:30pm)

**6. MOTION -ADJOURNMENT OF THE HOUSE PURSUANT TO
STANDING ORDER 34**

(Hon. Tony Barasa, MCA, Lwandanyi Ward)

Motion made and Question proposed

Debate arising;

Mover replied;

Question put and **AGREED TO.**

HOUSE ROSE - at 3.00 A.M

MEMORANDUM

*The Speaker will take the Chair on
Thursday 30th November, 2023 at 2.30 p.m*

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COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY- SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 30TH NOVEMBER, 2023 AT 2:30 P.M.

1. The County Assembly assembled at Half past Two O'clock in the afternoon.
2. The proceedings were opened with prayer said by the Speaker.
3. Presiding - Hon. Emmanuel Situma, Speaker
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication;

Hon. Bernard Kikechi was duly elected on 21st November 2023 as the Chairperson of Trade, Energy and Industrialization Committee following the adjustment of Committee Membership by the Committee on Selection.'

5. **STATEMENTS AND QUESTIONS**

The following Statement were issued;

- I. Pursuant to the provisions of Standing Order 47(2) (a) informed the House of the Weekly Business Coming before the House from Tuesday 5th - Thursday 7th December, 2023.

(Hon. Jacob Psero, MCA, Member of the House Business Committee)

- II. Pursuant to S.O.47, the following Questions were responded by respective Chairpersons;

- a) Question by Member for Tongaren Ward (Hon. Ipara Okasida- MCA) Seeking a response from the Chairperson Sectoral Committee on Tourism, Water, Environment and Natural Resources in relation to Binyenya and Lukhuna water boreholes upgrade within Tongaren Kiminini Ward.

(Hon. Edwin Opwora, Chairperson, Sectoral Committee on Tourism, Water, Environment and Natural Resources)

Owner of the statement was not present and Hon. Speaker directed that the response to be availed on Tuesday 5th December, 2023 at 2:30 p.m.

- b) Question sought by Hon. Jerusa Aleu- (MCA Milima Ward) from the Chairperson Sectoral Committee on Agriculture, Livestock, Irrigation,

Fisheries and Cooperative Development in relation to the Management of Naitiri Dairy Cooperative Society Limited.

(Chairperson Sectoral Committee on Agriculture, Livestock, Irrigation, Fisheries and Cooperative Development)

Response not availed, it was directed that the response to be availed on Tuesday 5th December 2023 at 2:30p.m.

6. MOTIONS – REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE AUDITOR GENERAL" S REPORT ON THE FINANCIAL STATEMENTS OF THE BUNGOMA COUNTY TRADE AND DEVELOPMENT FUND FOR THE PERIOD ENDED 30TH JUNE 2021.

Motion made and Question proposed-

THAT, this House adopts the Report by the Public Accounts and Investments Committee on the Report of the Auditor General on the Financial Statements of the Bungoma County Trade and Development Fund for the period ended 30th June, 2021, *laid on the Table of the House on Tuesday, 28th November, 2023.*

(Hon. Timothy Chikati, MCA, Vice Chairperson Public Accounts and Investments Committee)

Debate ensued

Mover replied

Question put **AGREED TO**

7. MOTION- REPORT BY THE PUBLIC AND INVESTMENTS COMMITTEE ON AUDITOR GENERAL'S REPORT ON THE FINANCIAL STATEMENTS OF THE BUNGOMA COUNTY TRADE AND DEVELOPMENT FUND FOR THE PERIOD ENDED 30TH JUNE, 2022.

Motion made and Question proposed;-

THAT, this House adopts the report by the Public Accounts and Investments Committee on the Auditor General's report on the Financial Statements of the Bungoma County Trade and Development Fund for the period ended 30th June, 2022, *laid on the Table of the House on 29th November, 2023.*

Report rescheduled to Tuesday 5th December, 2023 at 2:30 pm

HOUSE ROSE - at Twenty Minutes Past Three O'clock

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 5th December, 2023 at 2:30 P.M.*

-XXX-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
TUESDAY 5TH DECEMBER, 2023 AT 2:30A.M.

1. The County Assembly assembled at Twenty-Six Minutes to Three O'clock
2. The proceedings were opened with prayer said by the Speaker.
3. **Presiding - Hon. Emmanuel Situma, Speaker**
4. **PAPERS**

The following Papers were laid on the Table;-

- I. Report by the Budget and Appropriations Committee on the Bungoma County Government 1st Supplementary Budget for the FY 2023/2024.
(*Hon. Jack Wambulwa, MCA, Chairperson Budget and Appropriations Committee*)
 - II. Report by the Budget and Appropriations Committee on the Bungoma County Budget Review Outlook Paper FY 2023/2024
(*Hon. Jack Wambulwa, MCA, Chairperson, Budget and Appropriations Committee*)
5. **NOTICES OF MOTION**

The following notices of Motion were issued;

- I. **Report by the Budget and Appropriations Committee on the Bungoma County Government 1st Supplementary Budget for the FY 2023/2024.**
THAT, this House Notes the Report by the Budget and Appropriations Committee on the Bungoma County Government 1st Supplementary Budget for the FY 2023/2024
(*Hon. Jack Wambulwa, MCA, Chairperson Budget and Appropriations Committee*)
- II. **Report by the Budget and Appropriations Committee on the Bungoma County Government Budget Review Outlook Paper FY 2023/2024.**

THAT, this House adopts the Report by the Budget and Appropriations

*(Hon. Jack Wambulwa, MCA, Chairperson Budget and Appropriations
Committee)*

6. QUESTIONS AND STATEMENTS

a. The following Question were responded to;

I. Question by Hon. Ipara Okasida, MCA, Member for Tongaren Ward

To seek a response from the Chairperson Sectoral Committee on Tourism, Water, Environment and Natural Resources in relation to Binyenya and Lukhuna water boreholes upgrade within Tongaren Kiminini Ward.

Response availed by the Chairperson Tourism, Water, Environment and Natural Resources.

Response Satisfactory

II. Question by Hon. Jerusa Aleu, MCA, Member for Milima Ward

To seek a response from the Chairperson Sectoral Committee on Agriculture, Livestock, Irrigation , Fisheries and Cooperative Development in relation to the management of Naitiri Dairy Cooperative Society Limited .

Response availed by the Chairperson Agriculture, Livestock, Irrigation, Fisheries and Cooperative Development and it was satisfactory.

b. Hon Aggrey Mulongo, MCA Kibingei Ward, apologized for the gross disorder

7. MOTIONS –REPORT BY THE PUBLIC ACCOUNTS AND INVESTMENTS COMMITTEE ON THE AUDITOR GENERAL" S REPORT ON THE FINANCIAL STATEMENTS OF THE BUNGOMA COUNTY TRADE AND DEVELOPMENT FUND FOR THE PERIOD ENDED 30TH JUNE, 2022.

Motion Made and Question Proposed

THAT, this House adopts the report by the Public Accounts and Investments Committee on Auditor General's report on the Financial Statements of the Bungoma County Trade and Development Fund for the period ended 30th June, 2022 laid on the Table of the House on 29th November, 2023.

(Hon. Timothy Chikati, Vice Chairperson, Public Accounts and Investment Committee)

Debate Ensued

Mover replied

Question Put and **AGREED TO**

HOUSE ROSE - at Ten Minutes past Four.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 6th December 2023 at 9:30 A.M.*

-XXX-



COUNTY ASSEMBLY OF BUNGOMA
THIRD COUNTY ASSEMBLY – SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 6TH DECEMBER, 2023 AT 9:30 A.M.

1. The House assembled at Twenty Two Minutes past nine O'clock in the morning
2. The proceedings were opened with prayer said by the Speaker
3. Presiding - **Hon. Emmanuel Situma, Speaker**
4. **MOTION- REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY 1ST SUPPLEMENTARY BUDGET FOR THE FY 2023/2024**

Motion Made and Question Proposed

THAT, this House notes the Report by the Budget and Appropriations Committee on the Bungoma County 1st Supplementary Budget for the FY 2023/2024, laid on the Table of the House on 5th December, 2023.

(Hon. Charles Nangulu, Vice- Chairperson Budget and Appropriations Committee)

Debate ensued

The House was adjourned in accordance with Standing Order 33(1) to resume at 2:30 p.m

HOUSE ROSE - at One O'clock

MEMORANDUM

*The Speaker will take the Chair on
Wednesday 6th December 2023 at 2.30 PM.*

-XXX-



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
REGULAR HOUSE SITTING
VOTES AND PROCEEDINGS
WEDNESDAY 6TH DECEMBER, 2023 AT 2.30 P.M

1. The House assembled at Thirty Minutes past Two O'clock in the in afternoon.
2. The proceedings were opened with prayer said by the Speaker.
3. **Presiding – Hon. Emmanuel Situma, Speaker.**
4. **PAPERS**

The following papers were laid on the Table by Hon. Joseph Juma, MCA, Leader of Majority Party;-

- i) Report by the Committee on Appointments on the vetting of the nominee for appointment to the position of County Secretary and Head of Public Service.
- ii) The Bungoma County Agriculture Sector Policy, 2023.
- iii) The Bungoma County Agribusiness Policy, 2023.
- iv) The Bungoma County Agriculture Soil Management Policy.
- v) The Bungoma County Food Safety Policy, 2023.
- vi) The Bungoma County Agriculture Land Lease Guidelines, 2023.
- vii) The Bungoma County Guidelines for Implementation of Agricultural Input Support Programs, 2023.

5. NOTICES OF MOTION

The following Notice of Motion was issued;

Report by the Committee on Appointments on the vetting of the nominee for appointment to the position of County Secretary and Head of Public Service

THAT, this House approves the Report by the Committee on Appointments on the vetting of the nominee for appointment to the position of County Secretary and Head of Public Service.

(Hon. Joseph Juma, MCA, Member, Committee on Appointments)

6. MOTION – REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY 1ST SUPPLEMENTARY BUDGET FOR THE FY 2023/2024

(Resumption of Debate pursuant to S.O 35)

THAT, this House notes report by the Budget and Appropriations Committee on the Bungoma County 1st supplementary Budget for the FY 2023/2024, *laid on the table of the House on 5th December, 2023.*

Mover called to reply

Noted

7. MOTION – REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY GOVERNMENT BUDGET REVIEW OUTLOOK PAPER FY 2023/2024

Motion made and Question proposed-

THAT, this House adopts the report by the Budget and Appropriations Committee on the Bungoma County Government Budget Review Outlook Paper FY 2023/2024

(Hon. Caleb Wanjala, MCA, Member, Budget and Appropriations Committee)

Debate rose

Mover called to reply

Question put and **AGREED TO**

8. BILLS - THE BUNGOMA COUNTY 1ST SUPPLEMENTARY APPROPRIATIONS BILL, 2023

Order for Second Reading read;

Motion made and Question Proposed-

THAT, the Bungoma County 1st Supplementary Appropriation Bill, 2023 be now read a Second Time

(Chairperson, Budget and Appropriations Committee)

There being no Member wishing to contribute;

Question put and **AGREED TO.**

9. COMMITTEE OF THE WHOLE HOUSE (COMMITTEE ON SUPPLY) IN THE COMMITTEE

Second Panelist in the Chair

THE BUNGOMA COUNTY 1ST SUPPLEMENTARY APPROPRIATION BILL, 2023

Pursuant to provisions of Standing Order No. 235, Chairpersons of Sector Committees supplied as follows:

**DEPARTMENT OF AGRICULTURE, LIVESTOCK, IRRIGATION,
FISHERIES AND COOPERATIVE DEVELOPMENT**

A Sum of **Kshs.241,455,843.49** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure reduction of **Kshs.(25,832,559.51)** and development expenditure increase of **Kshs.267,288,403.00** in the department of Agriculture, Livestock, Fisheries and Cooperative Development._

Question put and AGREED TO

DEPARTMENT OF EDUCATION AND VOCATIONAL TRAINING

A Sum of **Kshs. 65,909,773.30** WAS GRANTED AND ISSUED from the County ,Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 15,140,773.30** and development expenditure increase of **Kshs. 50,769,000** in the **department of Education and Vocational Training.**

Question put and AGREED TO

DEPARTMENT OF HEALTH

A Sum of **Kshs. 175,571,380.52** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 136,325,170.02** and development expenditure increase of **Kshs.39,246,210.50** in the **department of Health.**

Question put and AGREED TO

DIRECTORATE OF SANITATION

A Sum of **Ksh. 1,131,928** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of development expenditure increase of **Kshs. 1,131,928** in the **Directorate of Sanitation**

Question put and AGREED TO

DEPARTMENT OF TRADE, ENERGY AND INDUSTRIALIZATION

A Sum of **Kshs. 297,533,300** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 2,932,492** and development expenditure increase of **Kshs. 294,600,808** in the **department of Trade, Energy and Industrialization.**

Question put and AGREED TO

DEPARTMENT OF LANDS, URBAN AND PHYSICAL PLANNING

A Sum of **Kshs. 12,587,581.25** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure reduction of **Kshs. (5,168,627.00)** and development expenditure increase of **Kshs.17,756,208.25** in the **department of Lands, Urban and Physical Planning.**

Question put and AGREED TO

BUNGOMA MUNICIPALITY

A Sum of **Kshs. 69,517,362.14** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 14,354,114.14** and development expenditure increase of **Kshs. 55,163,248.00** in the **Bungoma Municipality.**

Question put and AGREED TO

KIMILILI MUNICIPALITY

A Sum of **Kshs.85,262,851.86** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.5,415,872.86** and development expenditure increase of **Kshs.79,846,979.00** in the **Kimilili Municipality .**

Question put and AGREED TO

DIRECTORATE OF HOUSING

A Sum of **Kshs.88,981,674** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.12,481,574** and development expenditure increase of **Kshs. 76,500,100** in the **Directorate of Housing.**

Question put and AGREED TO

DEPARTMENT OF GENDER AND CULTURE

A Sum reduction of **Kshs. (401,181)** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 13,940,307** and development expenditure reduction of **Kshs.(14,341,487)** in the **Department of Gender and Culture.**

**Question put and AGREED TO
DEPARTMENT OF YOUTH AND SPORTS**

A Sum reduction of **Kshs. (10,307,498) WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 1,206,704** and development expenditure reduction of **Kshs. (11,514,202)** in the **Department of Youth and Sports.**

**Question put and AGREED TO
COUNTY ASSEMBLY**

A Sum of **Kshs. 114,712,202 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.60,876,000** and development expenditure increase of **Kshs. 53,836,202** in **County Assembly.**

**Question put and AGREED TO
DEPARTMENT OF FINANCE AND ECONOMIC PLANNING**

A Sum of **Kshs. 247,127,202.25 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 114,687,970.25** and development expenditure increase of **Ksh.132,439,232.00** in the **department of Finance and Economic Planning.**

**Question put and AGREED TO
OFFICE OF THE GOVERNOR**

A Sum of **Kshs. 41,488,899 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 41,488,899** in the **Office of the Governor.**

**Question put and AGREED TO
COUNTY PUBLIC SERVICE BOARD**

A Sum reduction of **Kshs. (11,788,934) WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.3, 711,066** and development expenditure reduction of **Kshs. (15,500,000)** in **County Public Service Board.**

Question put and AGREED TO

DEPARTMENT OF PUBLIC ADMINISTRATION

A Sum of **Kshs. 118,384,915.70 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.116,671,675.70** and development expenditure increase of **Kshs.1,713,240.00** in the **department of Public Administration.**

Question put and AGREED TO

DEPARTMENT OF TOURISM AND ENVIRONMENT

A Sum of **Kshs. 98,137,319.50 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.90,737,855.25** and development expenditure increase of **Kshs.7,399,464.25** in the **department of Tourism and Environment.**

Question put and AGREED TO

Motion Made and Question proposed -

THAT, the Committee do report to the House its consideration of the **Bungoma County 1st Supplementary Appropriation Bill, 2023** pursuant to SO 145 (16)

(Hon. Jack Wambulwa, MCA, Chairperson, Budget and Appropriations Committee)

There being no Member wishing to contribute;

Question put and **AGREED TO.**

Hon. Speaker in the Chair

REPORT STAGE

Pursuant to Standing Order No. 147, the Chairperson of the Whole House reports the consideration of the Bungoma County Appropriation Bill 2023 and its consideration thereof as follows;

DEPARTMENT OF AGRICULTURE, LIVESTOCK, FISHERIES AND COOPERATIVE DEVELOPMENT

Hon. Speaker, in the department of Agriculture, Livestock, Fisheries and Cooperative Development:

A Sum of **Kshs.241,455,843.49 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure reduction of **Kshs.(25,832,559.51)** and development expenditure increase of

Kshs.267,288,403.00 in the department of Agriculture, Livestock, Fisheries and Cooperative Development._

DEPARTMENT OF EDUCATION AND VOCATIONAL TRAINING

Hon. Speaker, in the department of Education and Vocational Training:

A Sum of **Kshs. 65,909,773.30 WAS GRANTED AND ISSUED** from the County ,Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 15,140,773.30** and development expenditure increase of **Kshs. 50,769,000** in the **department of Education and Vocational Training.**

DEPARTMENT OF HEALTH

Hon. Speaker, in the department of Health:

A Sum of **Kshs. 175,571,380.52 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 136,325,170.02** and development expenditure increase of **Kshs.39,246,210.50** in the **department of Health.**

DIRECTORATE OF SANITATION

Hon. Speaker, in the Directorate of Sanitation:

A Sum of **Ksh. 1,131,928 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30thJune, 2024 in respect of development expenditure increase of **Kshs. 1,131,928** in the **Directorate of Sanitation.**

DEPARTMENT OF TRADE, ENERGY AND INDUSTRIALIZATION

Hon. Speaker, in the department of Trade, Energy and Industrialization:

A Sum of **Kshs. 297,533,300 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 2,932,492** and development expenditure increase of **Kshs. 294,600,808** in the **department of Trade, Energy and Industrialization.**

DEPARTMENT OF LANDS, URBAN AND PHYSICAL PLANNING

Hon. Speaker, in the department of Lands, Urban and Physical Planning:

A Sum of **Kshs. 12,587,581.25 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure reduction of **Kshs. (5,168,627.00)** and development expenditure increase of **Kshs.17,756,208.25** in the **department of Lands, Urban and Physical**

Planning.

BUNGOMA MUNICIPALITY

Hon. Speaker, in the Municipality of Bungoma:

A Sum of **Kshs. 69,517,362.14 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 14,354,114.14 and** development expenditure increase of **Kshs. 55,163,248.00** in the **Bungoma Municipality.**

KIMILILI MUNICIPALITY

Hon. Speaker, in the Municipality of Kimilili:

A Sum of **Kshs.85,262,851.86 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.5,415,872.86** and development expenditure increase of **Kshs.79,846,979.00** in the **Kimilili Municipality**

DIRECTORATE OF HOUSING

Hon. Speaker, in the Directorate of Housing:

A Sum of **Kshs.88,981,674 WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.12,481,574** and development expenditure increase of **Kshs. 76,500,100** in the **Directorate of Housing**

DEPARTMENT OF GENDER AND CULTURE

Hon. Speaker, in the department of Gender and Culture:

A Sum reduction of **Kshs. (401,181) WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 13,940,307** and development expenditure reduction of **Kshs.(14,341,487)** in the **Department of Gender and Culture**

DEPARTMENT OF YOUTH AND SPORTS

Hon. Speaker, in the department of Youth and Sports:

A Sum reduction of **Kshs. (10,307,498) WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 1,206,704** and development expenditure reduction of **Kshs. (11,514,202)** in the **Department of Youth and Sports.**

COUNTY ASSEMBLY

Hon. Speaker, in County Assembly:

A Sum of **Kshs. 114,712,202** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.60,876,000** and development expenditure increase of **Kshs. 53,836,202** in **County Assembly**.

DEPARTMENT OF FINANCE AND ECONOMIC PLANNING

Hon. Speaker, in the department of Finance and Economic Planning:

A Sum of **Kshs. 247,127,202.25** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 114,687,970.25** and development expenditure increase of **Ksh.132,439,232.00** in the **department of Finance and Economic Planning**

OFFICE OF THE GOVERNOR

Hon. Speaker, in the Office of the Governor:

A Sum of **Kshs. 41,488,899** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs. 41,488,899** in the **Office of the Governor**.

COUNTY PUBLIC SERVICE BOARD

Hon. Speaker, in County Public Service Board:

A Sum reduction of **Kshs. (11,788,934)** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.3, 711,066** and development expenditure reduction of **Kshs. (15,500,000)** in **County Public Service Board**

DEPARTMENT OF PUBLIC ADMINISTRATION

Hon. Speaker, in the department of Public Administration:

A Sum of **Kshs. 118,384,915.70** WAS GRANTED AND ISSUED from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.116,671,675.70** and development expenditure increase of **Kshs.1,713,240.00** in the **department of Public Administration**

DEPARTMENT OF TOURISM AND ENVIRONMENT

Hon. Speaker, in the department of Public Administration:

A Sum of **Kshs. 98,137,319.50** **WAS GRANTED AND ISSUED** from the County Exchequer Account to meet the expenditure during the year ending 30th June, 2024 in respect of recurrent expenditure increase of **Kshs.90,737,855.25** and development expenditure increase of **Kshs.7,399,464.25** in the **department of Tourism and Environment**

Motion made and Question proposed-

THAT, the House do agree with the Committee in the said Report

(Hon. Jack Wambulwa, MCA, Chairperson, Budget and Appropriations Committee)

Question put and **AGREED TO.**

HOUSE ROSE - at forty five minutes Past Five O'clock

MEMORANDUM

The Speaker will take the Chair on

Thursday 7th December, 2023 at 2.30 p.m

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COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – FIRST SESSION
NORMAL HOUSE SITTING
VOTES AND PROCEEDINGS
THURSDAY 7TH DECEMBER, 2023 AT 2.30 P.M

1. The House assembled at Twenty- Nine Minutes to Three O'clock in the afternoon
2. The proceedings were opened with prayer said by the Speaker
3. Presiding Speaker: **Hon. Emmanuel Situma, the Speaker**
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following;

- I. The House will adjourn from that day 7th December, 2023 to 13th February 2024 at 2.30 p.m. Internal Committee sittings shall be there except on Christmas week.
- II. Present in the Speakers Gallery is the visiting Delegation from Trans-Nzioa County Assembly; the Secretariat of Public Accounts and Investments Committee. The Committee will be sitting with the Sister Committee of County Assembly of Bungoma to process the NZOWASCO Audit reports for the period ended 30th June 2022.

5. PETITIONS

The Speaker reported the following Petitions-

- I. **Petition by Integrated and Chebui cave dweller Community based organization on the need to assist the IDPs and evacuate the 11 families from Chebui Cave.**
Justice, Cohesion and Legal Affairs committee is required to consider the Petition and report its findings to the House and the Petitioner in accordance with Standing Order 225(2)
- II. **Petition by Martin Musungu Kichamba, Martin Mulumeti Matwali, Ben Matabili Koyi, Leonard Watimah and Titus Kipnuche concerning the poor management of New Chesikaki Farmers" Cooperative Society and illegality of the Current office bearers.**

Justice, Cohesion and Legal Affairs Committee is required to consider the petition and report its findings to the House and the petitioner in accordance with Standing Order 225(2).

6. PAPERS

The following paper was laid on the Table,

The Public Finance Management (Bungoma County Executive Employees" Car Loan and Mortgage Scheme Fund) Regulations, 2023
(Hon. Christine Mukhongo; Member Finance and Economic Planning Committee)

Committed to the Committee on County Delegated Legislation

7. MOTIONS - REPORT BY THE COMMITTEE ON APPOINTMENTS ON THE VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF COUNTY SECRETARY AND HEAD OF PUBLIC SERVICE

Motion made and question proposed

THAT, this House approves the Report by the Committee on Appointments on the vetting of the nominee for appointment to the position of County Secretary and Head of Public Service, laid on the Table of the House on 6th December, 2023.

(Hon. Joseph Nyongesa, MCA, Chairperson, Committee on Appointments)

Debate ensued

Question put and **AGREED TO**.

8. BILLS - THE BUNGOMA COUNTY 1ST SUPPLEMENTARY APPROPRIATION BILL, 2023

Motion Made and Question Proposed;-

THAT, the Bungoma County 1st Supplementary Budget Appropriation Bill, 2023 be now read a Third Time.

(Chairperson, Budget and Appropriations Committee)

Question put and **AGREED TO**

Bill read a Third Time and **passed**.

9. MOTION- ADJOURNMENT OF THE COUNTY ASSEMBLY

Motion made and Question proposed,

THAT, Pursuant to Standing Order 31(3), the County Assembly do adjourn until Tuesday, 13th February, 2024 at 2:30 pm.

(Hon. Joseph Nyongesa, MCA, Majority Leader)

HOUSE ROSE AT - at Five Minutes to Four O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Tuesday 13th February, 2024 at .2.30 p.m.*

-XXX-



COUNTY GOVERNMENT OF BUNGOMA

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