



COUNTY GOVERNMENT OF BUNGOMA



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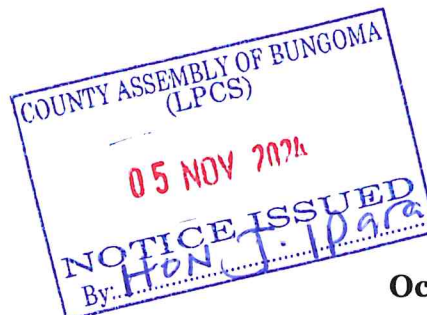
COUNTY ASSEMBLY OF BUNGOMA

*HBC
To schedule
28/10/24*

THIRD ASSEMBLY-THIRD SESSION

HOUSE BUSINESS COMMITTEE

**REPORT ON THE AFFAIRS OF THE COUNTY ASSEMBLY FOR THE
PERIOD JUNE – SEPTEMBER, 2024 OF THE THIRD SESSION**



**Clerk's Chambers
County Assembly Buildings
P.O BOX 1886 - 50200
BUNGOMA, KENYA**

October, 2024

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CHAPTER ONE

1.1 PREFACE

This Report details the business transacted in the third Session of the Third Assembly by Bungoma County Assembly from 4th June to 26th September, 2024. The business transacted include; visiting delegations, presiding Speakers, Communications from the Chair, Messages, Public Petitions, Policies and Guidelines, Questions and Statements, Motions, Bills and pending businesses before the House Business Committee for scheduling as at 26th September, 2024.

1.2 ESTABLISHMENT AND MANDATE OF THE COMMITTEE

The County Assembly House Business Committee is established pursuant to Standing Order 173 (1). Specifically Standing Order 173 (4) provides for the mandate of the Committee as follows:

- (a) Prepare and, if necessary, from time to time adjust the County Assembly Calendar with the approval of the County Assembly;
- (b) Monitor and oversee the implementation of the County Assembly Business and programmes.
- (c) Implement the Standing Orders respecting the scheduling or programming of the business of the County Assembly and the functioning of the Committees of the County Assembly;
- (d) Determine the order in which the reports of Committees shall be debated in the County Assembly;
- (e) may take decisions and issue directives and guidelines to prioritize or postpone any business of the County Assembly acting with the concurrence of the Leader of the Majority Party or the Leader of the Minority Party, as the case may be.
- (f) Consider such matters as may from time to time arise in connection with the business of the County Assembly and shall have and perform such powers and functions

as are conferred on and ascribed to it by these Standing Orders or from time to time by the County Assembly.

1.3 COMMITTEE MEMBERSHIP

The Committee as currently constituted comprises of the following Members:

1. Hon. Emmanuel Situma	Chairperson (Speaker)
2. Hon. Stephen Wamalwa	Vice Chairperson (Deputy Speaker)
3. Hon. Joseph Juma	Member
4. Hon. Anthony Lusenaka	Member
5. Hon. Meshack Wekesa	Member
6. Hon. Miliar Masungu	Member
7. Hon. Jack Wambulwa	Member
8. Hon. Hentry Nyongesa	Member
9. Hon. Violet Makhanu	Member
10. Hon. Jacob Psero	Member
11. Hon. Cornelius Makhanu	Member
12. Hon. Johnston Ipara	Member
13. Hon. Stephen Kaiser	Member
14. Hon. Metrine Nangalama	Member
15. Hon. Mildred Barasa	Member

1.4 ACKNOWLEDGEMENT

The Committee extends its appreciation to the Offices of the Speaker and the Clerk of the County Assembly for the support accorded to it in the execution of its mandate. On behalf of the House Business Committee, I now have the honour to present the report to the House for deliberation and adoption.

SIGN.  DATE 7/10/2024

HONOURABLE EMMANUEL SITUMA

SPEAKER OF THE COUNTY ASSEMBLY/CHAIRPERSON

CHAPTER TWO

2.1 THIRD AND FOURTH PARTS OF THE THIRD SESSION

The Calendar of the House for the third Session of the third Assembly was adopted by this House on Tuesday 13th February, 2024. The dates for sittings in third part (III) of the session ran from Tuesday 4th June to Thursday 11th July 2024 and short recess from Friday 12th to Monday 22nd July, 2024 while the sittings dates for the Fourth part (IV) were Tuesday 23rd July to Thursday 29th August, 2024 and long recess from Friday 30th August to Monday 30th September, 2024.

The House altered its Calendar on Tuesday 30th July, 2024 by adjourning its sittings from Wednesday 31st July, 2024 at 9.30 a.m to Thursday 30th August, 2024 at 2.30 p.m for a long recess, Further, the long recess that had been scheduled in the month of September, 2024 was altered to be sitting month, hence the House resumed its sittings on Tuesday 3rd September, 2024 at 2.30 p.m.

During the period under consideration, the County Assembly had anticipated forty eight (48) Regular Sittings from 4th June to 26th September, 2024. At the end of the period, the House managed thirty six (36) Sittings as shown in the table below:

S/No.	MONTH	TARGETED SITTINGS	ACTUAL SITTINGS
1.	June	16	7
2.	July	16	13
3.	September	16	16
	Total	48	36

The House adjourned from Wednesday 5th June, 2024, 9.30 am to Thursday 13th June, 2024 to pave way for the Sector committees' interrogations of the Annual Budget Estimates FY 2024/2025 hence targeted sittings for June 2024 were not achieved.

2.2 VISITING DELEGATIONS AND PUBLIC INTERACTIONS WITH THE COUNTY ASSEMBLY

As part of public involvement in its proceedings pursuant to the provision of Article 196 of the Constitution, the County Assembly has been welcoming citizens in both its Chambers and Committee proceedings.

On 25th June, 2024, His Highness Owelukoosi Umukuuka (The Third) III, Jude Mike Mudomo in company of key leaders from Inzu ya Masaaba paid a visit to the County Assembly and followed its proceedings from the Speaker's Gallery. Further, 10th July, 2024, Mr. Fred Omuse Mang'eni a student of Philosophy in History at Jaramogi Oginga Odinga University of Science and Technology, pursuing Doctor in Philosophy conducted a study on political parties and Coalition and consolidation of Democracy in Kenya (1969-2022) in the County Assembly as his geographical area.

Further, there were various schools that visited the County Assembly on learning tours and followed proceedings from the Gallery. These were:

1. Dreamland Education Center from Kibingei Ward; 23rd June, 2024
2. St. Mary Magdalene Namamuka R.C from Musikoma Ward; 24th July, 2024
3. Chesiro Secondary School from Mt. Elgon, Cheptais Ward; 25th July, 2024
4. Kimilili Friends Girls High School from Kibingei Ward; 30th July, 2024
5. Maseck SA comprehensive Primary School from Kapkateny Ward, 30th July, 2024
6. Marell Junior Academy from Musikoma Ward, 30th July, 2024
7. Friends School Makuselwa from Ndivisi Ward; 12th September, 2024
8. Marobo Secondary School from Luuya Bwake Ward, 17th September, 2024
9. Milo Boys Secondary School from Sitikho Ward; 19th September, 2024
10. Chemweisus S.A. Secondary School from Elgon Ward; 24th September, 2024
11. Bridge International from Musikoma Ward; 25th September, 2024

2.3 PRESIDING SPEAKERS DURING THE PERIOD UNDER REVIEW

In the period under review, there were several presiding Speakers who maintained neutrality and impartiality while overseeing Plenary Sessions, upheld parliamentary rules and procedures, enforced the rules by maintaining order during debates and recognized members who wished to speak on a matter, recognized speaking time limits and ensured that all relevant viewpoints were heard.

In the period under review (June – September, 2024), thirty six (36) Sittings were presided over as follows:

- Hon. Emmanuel Situma (Speaker); **31 sittings**
- Hon. Stephen Wamalwa (Deputy Speaker); **4 sittings**
- Hon. Benjamin Otsiula (Panelist 2); **01 sitting**

2.4 BUSINESS UNDERTAKEN DURING THE PERIOD UNDER REVIEW

2.4.1 Communication from the Chair

During the period under review, the presiding chairpersons conveyed twenty four (24) Communication from the chair on following subject matters:

- i. Visiting delegations
- ii. Passing information to Hon. Members
- iii. Alteration of the Order Paper
- iv. Administrative directions
- v. Calling for submission of views on the amendment of the Standing Orders
- vi. Upcoming events

The distribution of the Communication per month was as follows:

Year	June	July	September	Total
2024	05	08	11	24

2.4.2 Messages from H.E the Governor

Pursuant to Standing Order 45, on 18th June, 2024, the House received a message from H.E the Governor on the six nominees appointed to the positions of Chief Officers;

- i. Youth and Sports, Gender and Culture,
- ii. Housing, Municipalities and Urban areas,
- iii. Economic Planning,
- iv. Education and Vocational Training and
- v. Livestock, Veterinary Services and Fisheries.

The names were referred to the relevant sector committee for vetting and reporting back. On Wednesday 10th July, 2024, all the six nominees were approved by the House.

2.4.3 Public Petitions

The provisions of Article 37 of the Constitution and Section 15 of the County Governments Act, 2012 state that a person has a right to petition a County Assembly to consider any matter within its authority, including enacting, amending or repealing any of its legislation. Every Petition presented stands committed to the Committee on Justice and Legal Affairs as per Standing Order 225 that has not more than sixty calendar days from the time of reading the prayer to respond to the petitioner by way of a report.

During the period under consideration, two Petitions were presented and are being considered by the Committee on Justice, Cohesion and Legal Affairs. The two Petitions were:

- i. Petition by residents of Milima Ward on the relocation of Milima Ward Administrator's Office and alleged violation of established processes and public participation procedures
- ii. Petition by residents of Kapkateny Ward on the irregular, unprocedural and illegal transfer of Kapkateny Ward Administrator's Offices from Kapkateny market to Toywondet Market.

It should be noted that by prioritizing public petitions, the County Assembly strengthens its role as a representative body, enhance community trust, and effectively address the needs of its constituents.

2.4.4 Papers laid

The County Assembly receives reports from the Executive, other government agencies and stakeholders that required processing. These reports and documents are then laid on the table of the House and submitted to relevant county Assembly committees for processing. In the period under review, the following reports were submitted and laid on the table:

- a) The Bungoma County Executive consolidated Reports and Financial Statements for the period ended March 31st 2024.
- b) Report of the Auditor General on the Financial Statements of Kimilili Municipality for the year ended 30th June, 2023
- c) Report from the Office of the Auditor General on the Bungoma Municipality for the year ended 30th June, 2023
- d) The Nzowasco De-Clustering Taskforce Report
- e) Report by the Bungoma Civil Society Forum (BCSF) on the Citizen Led Survey on Own Source Revenue in Bungoma County, 2024
- f) Fourth quarter financial statements for the established County Funds for the Financial year ended 30th June, 2024:
 - i. Youth and Women fund
 - ii. Disability empowerment fund
 - iii. Education support scheme
 - iv. Climate change fund
 - v. Disaster Management and Emergency Fund
 - vi. Trade Development Loan Fund
- g) The Bungoma County Annual Development Plan FY 2025/2026
- h) The Health and Sanitation Task Force report on review and amendment of Bungoma County Health Service Act No. 5 of 2019

- i) The Local Physical Development Plans for Nang'eni informal settlement in Webuye Town 2023 – 2027
- j) The Bungoma County Water Policy.

In addition, County Assembly Committees table their reports in the House for decision and formal recording of their output and during the period, a total of (47) Papers were laid before the House from various Committees as outlined in the table below:

S/NO	COMMITTEE	REPORTS TABLED
1.	House Business Committee	01
2.	Liaison Committee	00
3.	Finance and Economic Planning	03
4.	Public Administration and ICT	03
5.	Labour Relations, Members' Services and Facilities	03
6.	Health Services	02
7.	Land, Urban, Physical Planning and Housing	04
8.	Roads, Transport, Infrastructure and Public Works	01
9.	Education and Vocational Training	04
10.	Youth Affairs and Sports	02
11.	Gender, Culture and Social Welfare	02
12.	Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development	03
13.	Tourism, Environment, Water and Natural Resources	04
14.	Trade, Energy and Industrialization	01
15.	Budget and Appropriations	01
16.	Public Accounts and Investments	06
17.	Delegated County Legislation	01
18.	Justice, Cohesion and Legal Affairs	01

19.	Committee on Implementation	01
20.	Selection	01
21.	Committee of Powers and Privileges	02
22.	Procedure and House Rules	00
23.	Committee on Appointments	00
24.	Joint-Public Administration and Labour	1
	Total	47

2.4.5 Policies and Guidelines

During the period under consideration, the County Assembly received one Policy; Bungoma County Water Policy that was committed to Tourism, Environment, Water and Natural Resources Committee for processing. One guideline, the County Assembly received The Bungoma County Guidelines for implementation of agricultural input support programme, 2023 and eleven (11) Policies/ Guidelines were considered and adopted by the House namely;

- i. The Bungoma County Government Discipline Manual for the County Public Service
- ii. The Bungoma County Government Staff Performance Appraisal System for Job Group J and above in the County Public Service
- iii. The Bungoma County Government Diversity Policy for the County Public Service
- iv. The Bungoma County Government Human resource Policies and Procedures Manual
- v. The Bungoma County Government Human Resource Development Policy for the County Public Service
- vi. The Bungoma County Agricultural Sector Policy, 2023
- vii. The Bungoma County Agribusiness Policy, 2023
- viii. The Bungoma County Agriculture Soil Management Policy, 2023
- ix. The Bungoma County Food Safety Policy, 2023
- x. The Bungoma County Agriculture Land Lease Guidelines, 2023
- xi. The Bungoma County Internship Policy, 2023

As at 26th September, 2024, the following first 5 Policies were pending before the House while 2 policies; Youth Policy and Sports Policy is pending before the Sector Committee on Youths and Sports:

- i. Bungoma County Disability Mainstreaming Policy, 2023
- ii. Bungoma County Children protection Policy, 2023
- iii. Bungoma County Group Registration Policy, 2023
- iv. Bungoma County Culture and Heritage Policy, 2023
- v. Bungoma County Gender Mainstreaming Policy, 2023

2.4.6 Questions and Statements

During the period under review, ten (10) Statements were issued by a member of House Business Committee pursuant to the provision of SO 47 (2) (a) informing the House of the business coming before it in the subsequent week.

In the process of exercising their oversight role, Members raise questions and statements seeking for information and pressing for action with a view to enhance accountability from the relevant County departments. In the period, three questions were sought, six questions were responded to by the respective County Executive Committee Members and Chairpersons and one question/ statement is still pending.

The table below summarizes the questions that were considered;

NO	REQUESTED BY	STATEMENT DIRECTED TO	SUBJECT OF STATEMENT	DATE REQUESTED	DATE RESPONDED TO	STATUS
1	Hon. Johnston Ipara	CECM; Tourism, Water, Environment and Natural Resources	Unclear operation of the County Water rig	30/04/2024	04/06/2024 24/07/2024	Response was satisfactory
2	Hon. Johnston	CECM; Health and Sanitation	Lack of clear information on	30/04/2024	05/06/2024	CECM appeared

	Ipara		current position of Director of Medical Services in the County			before the Committee and the response was satisfactory
3	Hon. Johnston Ipara	CECM; Education and Vocational Training	Lack of financial support for Vocational Training Centres	02/05/2024	25/07/2024	Response was satisfactory
4	Hon. Johnston Ipara	CECM; Finance and Economic Planning	Low revenue collection in the County	02/05/2024	30/07/2024 12/09/2024	Response was satisfactory
5	Hon. Anthony Lusenaka	CECM- Finance Chief Officer- Finance CECM-Education Chief Officer- Education	Response by the CECM and Chief Officer Finance and the CECM and Chief Officer Education on Matters County importance in relation to County Scholarships, bursaries and VTCs	23/07/2024	25/07/2024	Response issued but not satisfactory
6	Hon. Kennedy Wanyama	Chairperson Roads, Transport and Infrastructure	Response in relation to lorries and trucks along Kanduyi Sang'alo	09/07/2014		Response was satisfactory

		Chairperson Lands, Urban Physical Planning and Housing	junction dual carriage road and its current status.		5/09/2024	
7	Hon. Kennedy Wanyama	Chairperson Committee on Health and Sanitation	To seek a response in respect to the 300 bed capacity medical facility at the County headquarters	04/09/2024		Response not availed

2.4.7 Motions

During the period under review, the House considered forty-five (45) Motions; that comprised 41 motions on County Assembly Committees, two procedural motions on alteration of the House Calendar pursuant to Standing Order 31(4), one motion on the extension of sitting time pursuant to Standing Order 33(3) and one motion on a matter of County importance. Out of the 45 motions; one motion was referred back to the committee; the motion on the report by the Committee on Roads, Transport, Infrastructure and Public Works on the status of Road Projects (box culverts) implemented under Disaster Management Emergency Fund FY 2020/2021.

The Motion on a matter of County importance pursuant to Standing Order 36 was in regard to scholarship program, bursary, grant for VTCs and 3% Administration fee.

The 41 motions on Committees' reports were from the following committees;

NO	Committee name	Number of reports
1	House Business Committee	1
2	Budget and Appropriations	1

3	Roads, Transport, Infrastructure and Public Works	2
4	Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development	2
5	Finance and Economic Planning	4
6	Trade, Energy and Industrialization	2
7	Education and Vocational Training	3
8	Gender, Culture and Social Welfare	3
9	Lands, Urban Physical Planning and Housing	3
10	Youth Affairs and Sports	2
11	Public Accounts and Investment Committee	7
12	Powers and Privileges	1
13	Labour Relations, Members Service and Facilities	2
14	Tourism, Water, Environment and Natural Resources	2
15	Public Administration and ICT	2
16	Selection Committee	1
17	Public Administration and ICT and Labour Relations, Members Service and Facilities	1
	TOTAL	41

2.4.8 Bills

In the period under review, the House passed 2 bills that had been introduced in the previous part of the session. These Bills are;

- i. The Bungoma County Public Participation and Civic Education Bill, 2024
- ii. The Bungoma County Access to Information Bill, 2024

The Bungoma County Valuation and Rating Bill, 2024, is still awaiting the second reading despite the House noting the Sector Committee report on it.

2.4.9 Pending Businesses before the Committee

One of the mandate of the House Business Committee is to schedule or programme of the business of the House and determine the order in which the reports of committees shall be debated in the County Assembly. As at the end period under review, there were 16 reports from County Assembly Committee that had been tabled, notice of motion issued but awaiting debate. *See the attached list of the pending business as at 27th September, 2024.*

CHAPTER THREE

3.0 General Observations and Recommendations

The Committee having considered an analysis of the affairs of the House hereby makes the following observations and recommendations;

3.1 Committee Observations

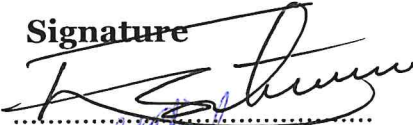






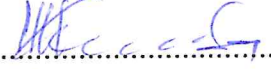
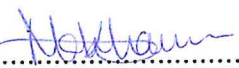
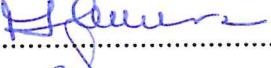

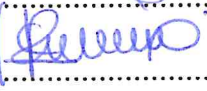
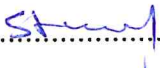


- i. Some of the members who are called upon to second the motion on the Committees' report do not un-package the report well to open up debate.
- ii. Some Committee reports are not submitted on time hence affecting the transaction of business on the floor of the House.
- iii. The Committee prioritized the processing of the committees' reports on Bills and Policies.
- iv. The Bills were not processed within the stipulated timelines as per the Standing Orders.
- v. The Bungoma County Valuation and Rating Bill, 2024, is yet to be considered for second reading.
- vi. Some Committee reports were referred back to the relevant Committees and are yet to report to the House.

3.2 Committee Recommendations

- i. **THAT**, there is need to provide training for committee members on effective presentation skills especially when moving, seconding and replying to motions. This will enhance the quality of reports submitted to the assembly and facilitate better discussions.
- ii. **THAT**, the House Business Committee shall only schedule business that have been processed for scheduling.
- iii. **THAT**, there is need for Procedure and House Rules Committee to consider enhancement of the period for processing of Bills during the amendment of the Standing Orders.
- iv. **THAT**, Committees should conclude the reports referred to them and report back before embarking on other committees' activities.

ADOPTION SCHEDULE

We the undersigned members of the House Business Committee append our signatures adopting this report with the contents therein.

Name	Designation	Signature
1. Hon. Emmanuel Situma	Chairperson	
2. Hon. Stephen Wamalwa	Vice Chairperson	
3. Hon. Joseph Juma	Member	
4. Hon. Anthony Lusenaka	Member	
5. Hon. Meshack Wekesa	Member	
6. Hon. Miliah Masungu	Member	
7. Hon. Jack Wambulwa	Member	
8. Hon. Hentry Nyongesa	Member	
9. Hon. Violet Makhanu	Member	
10. Hon. Jacob Psero	Member	
11. Hon. Cornelius Makhanu	Member	
12. Hon. Johnston Ipara	Member	
13. Hon. Stephen Kaiser	Member	
14. Hon. Metrine Nangalama	Member	
15. Hon. Mildred Barasa	Member	

ANNEXURE: PENDING BUSINESSES FOR CONSIDERATION BY THE HOUSE AS AT 26TH SEPTEMBER, 2024

Reports for motion

1. Report by the Sectoral Committee on Health Services on Half year financial statements for the period ended 31st December 2023 in respect to the Department of Health and Sanitation *laid on the Table of the House on 23rd July, 2024*
2. Report by Sectoral Committee on Public Administration and ICT on the half year Financial statements for the period ended 31st December, 2023 in respect to the County Secretary, Governor, D. Governor and Public Service, *laid on the Table of the House on 4th September, 2024*
3. Report by the Committee on Implementation on the implementation status of House Resolution, *laid on the Table of the House on 26th June, 2024*
4. Report by Sectoral Committee on Finance and Economic Planning on the 1st and 2nd Quarter Financial Statements for Financial Year 2023/2024, *laid on the Table of the House on 3rd July, 2024*
5. Report by the Sectoral Committee on Health Services on the management of own generated revenue in Health Facilities in the County in respect to the Department of Health and Sanitation. *laid on the Table of the House on 2nd July, 2024*
6. Report by Sectoral Committee on Lands, Urban Physical Planning and Housing on Ten Local Physical and Land Use Development Plans in respect to the Department of Lands, Urban Physical Planning, Housing and Municipalities *laid on the Table of the House on 3rd July, 2024.*
7. Report by the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the operation of the County Rig *laid on the Table of the House on 24th July, 2024.*
8. Report by Sectoral Committee on Labour Relations, Members Service and Facilities on County Assembly Service Board for the period January to December, 2023 *laid on the Table of the House on 24th July, 2024.*
9. Report by Education Committee on the status of the Home craft Centers in Bungoma County *laid on the Table of the House on 24th July, 2024.*
10. Report by Delegated County Legislation Committee on Acts passed by the County Assembly *laid on the Table of the House on 24th July, 2024.*

11. Report by the Powers and Privileges Committee on complaint laid by Hon. Jerusa Aleu against Hon. Sheilla Sifuma *laid on the Table of the House on 24th July, 2024.*
12. Report by Sectoral Committee on Education and Vocational Training on the need for establishment of child care centres in Bungoma County *laid on the Table of the House on 30th July, 2024.*
13. Report by the Powers and Privileges Committee on the Integrity Framework for Bungoma County Assembly *laid on the Table of House on 4th September, 2024*
14. Report by Justice, Cohesion and Legal Affairs Committee on the scrutiny of ethnic and diversity audit of the County Public Service, 2023 *laid on the Table of the House on 10th September, 2024.*
15. Report by Sectoral Committee on Finance and Economic Planning on the Bungoma County Government selected revenue streams performance evaluation exercise *laid on the Table on 17th September, 2024.*
16. Report by Sectoral Committee on Tourism, Environment, Water and Natural Resources on NZOWASCO De-clustering task force report *laid on the Table on 18th September, 2024*