

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY, 18TH JUNE, 2024

Afternoon Sitting

Third County Assembly

Third Session

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COUNTY ASSEMBLY OF BUNGOMA

THE HANSARD- OFFICIAL REPORT

TUESDAY, 18TH JUNE, 2024

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

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

PRAYER

PAPERS

1. REPORT ON THE BUNGOMA COUNTY FOOD SAFETY POLICY, 2023, THE BUNGOMA COUNTY AGRICULTURAL SECTOR POLICY, 2023 AND THE BUNGOMA COUNTY AGRIBUSINESS POLICY, 2023

Mr. Speaker: What is the issue Hon. Wambulwa?

Hon. Jack Wambulwa: Thank you Hon. Speaker. I am concerned that while we appreciate the renovation that is ongoing, our seats this side have been changed with older seats which are lower; even a member cannot feel comfortable. I don't know what really happened to the chairs that we were using; because we know we have not purchased any new seats, apart from these two that they have changed for Hon. Otsiula and Hon. Barasa and without a logo. I don't know who did the changes.

Mr. Speaker: Honourable Members, I can't confirm that because I think what happened when they were replacing the ceiling board, all these chairs were covered and moved to the centre of this chamber. It is an issue of rearrangement and I think that is not a major issue. Let us proceed.

Hon. Wafula Waiti (Chairperson, Committee on Agriculture): Thank you, Mr. Speaker. I rise to table a report on Bungoma County Agricultural Soil Management Policy, 2023, the Bungoma County Food Safety Policy, 2023, the Bungoma County Agriculture Sector Policy, 2023, and the Bungoma County Agribusiness Policy, 2023.

Paper laid by Hon. Wafula Waiti

Mr. Speaker: Honourable Members, the report by the Sector Committee on Agriculture, Livestock, Fisheries, Irrigation, and the Cooperative Development on the Bungoma County Food Safety Policy, 2023, the Bungoma County Agricultural Sector Policy, 2023, and the Bungoma County Agribusiness Policy, 2023 is hereby tabled. It now becomes the property of the House.

2. REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BUNGOMA COUNTY ANNUAL BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2024/2025

Hon. Jack Wambluwa (Chairperson, Budget Committee): Thank you Hon. Speaker. I rise to table a report by the Budget and Appropriations Committee on the Annual Budget Estimates for the financial year 2024/2025.

Paper laid by Hon. Jack Wambluwa

Mr. Speaker: Honourable Members, the report by the Budget and Appropriations Committee on the Bungoma County Annual Budget Estimates for the financial year 2023/2024 is hereby tabled and now becomes the property of the House.

NOTICES OF MOTION

1. REPORT BY THE SECTORAL COMMITTEE ON AGRICULTURE

Hon. Wafula Waiti (Chairperson, Agriculture, Fisheries, Irrigation, and the Cooperative Development): Thank you Mr. Speaker. I rise to issue a notice of motion that this House adopts the report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Food Safety Policy, 2023, the Bungoma County Agricultural Sector Policy, 2023 and the Bungoma County Agribusiness Policy, 2023.

Mr. Speaker: Honourable Members, the notice of motion having been issued by the Sectoral Committee on Agriculture, Livestock and Fisheries, Irrigation and Cooperative Development, on the policies that have been tabled, I ask the Clerks- at- the- Table to share the said report with the Honorable Members as the same will be coming up on the Order Paper as a motion.

2. REPORT BY THE BUDGET AND APPROPRIATIONS COMMITTEE

Hon. Jack Wambulwa (Chairperson, Budget Committee): Thank you Hon. Speaker. I hereby rise to give notice of motion on the Bungoma County Budget Estimates 2024/2025.

Mr. Speaker: Honourable Members, a notice has been issued that the House notes the report by the Budget and Appropriations Committee on the Bungoma County Annual Budget Estimates for the financial year 2024/2025. The same will be shared with the Honorable Members today as it will come up as a motion on the Order Paper tomorrow morning.

STATEMENT

1. WEEKLY BUSINESS FROM TUESDAY, 18TH JUNE TO THURSDAY, 20TH JUNE, 2024

Hon. Hentry Nyongesa: Thank you Hon. Speaker, for giving me this opportunity to issue a statement informing this House of the weekly Business coming before this House from Tuesday, which is today, 18th June to Thursday, 20th June, 2024

Tuesday, 18th June, 2024 at 2:30 p.m.:

Order of Business

Papers

1. A report of the Sector Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on Bungoma County Food Safety Policy, 2023, the Bungoma County Agriculture Sector Policy, 2023, and the Bungoma County Agribusiness Policy, 2023.

2. A report by the Budget and Appropriation Committee on the Bungoma County Annual Budget Estimates, Financial Year 2024/2025.

Notices of Motion

1. That this House adopts a report by the Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Food Policy, 2023, the Bungoma County Agriculture Sector Policy, 2023 and the Bungoma County Agricultural Policy, 2023.

2. That this House adopts the report by Budget and Appropriations Committee on the Bungoma County Annual Budget Estimates Financial Year 2024/2025.

Questions and Statements

1. That a Member of the House Business Committee pursuant to provision of Standing Order No. 47 (2) (a) to issue a statement informing the County Assembly of the weekly Business coming before the House from Tuesday 18th June to Thursday, 30th June, 2024.

Motion

1. That the House adopts a report by the House Business Committee on the affairs of the County Assembly during the First Quarter of the Third Session; laid on the Table of the House on 4th June, 2024

On Wednesday in the morning at 9:30 a.m.:

Papers

1. A report by the Secretary of Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Annual Performance Assessment Report on Financing for Financially Locally-Led Climate Action, (FLLoCA program) led by the Chairperson of the Committee on Tourism, Environment, Water and Natural Resources.

Notice of Motion

That this House adopts the report on the Sectoral Committee on Tourism, Environment, Water and Natural Resources on the Bungoma County Annual Performance Assessment Report for the Financing Locally-Led Climate Action,(FLLoCA Progaram) by the Chairperson.

We have the order on Questions and Statements, which, Mr. Speaker, we don't have any tomorrow. Then we have Motions, under Order No. 8 for tomorrow in the morning, which is also not there.

Mr. Speaker: Honourable Member, unless you are reading a different weekly program, what you have read so far belongs to the HBC Committee. When you say there is no Business tomorrow in the morning; when I am having a copy of the same with the budget report, then I think they need to assist you so that you see what we have prepared.

Hon. Hentry Nyongesa: Chair, under Motions, we shall be having an Appropriation Bill which shall be presented by the Chairperson, Budget and Appropriations Committee. A Bill for an Act of the County Assembly of Bungoma to authorize the issues of the sum of money out of the Revenue Fund and its application towards the service of the year ending 30th June, 2024.

Mr. Speaker: That is the order for 2:30 p.m. Honourable Member. You are yet to give us the motion for the morning session!

Hon. Hentry Nyongesa: Chair, under Notice of Motion, Mr. Speaker, in the afternoon, that is under Order number...

Mr. Speaker: For the morning session, is that a motion? Read for us now the order for 2:00 p.m.

Hon. Hentry Nyongesa: Mr. Speaker I don't know if they rearranged these papers.

Mr. Speaker: No, they are just in order, is it because of age? Let my officer assist you.

Hon. Hentry Nyongesa: We move to 2:30 p.m. Mr. Speaker.

Mr. Speaker: Proceed.

Hon. Hentry Nyongesa: Order Number 8,

Bills

1. The Bungoma County Government Annual Appropriations Bill

The Bill for the Act of the County Assembly of Bungoma to authorise the issuance of sum of money out of the Revenue Fund and its application towards the service of the year ending 30th June, 2025 and appropriate the sum for certain public service and purposes; Second reading.

The Committee on the Whole House, that is the Committee on Supply of the Bungoma County Government Annual Appropriation Bill, 2024

Thursday, 20th June, 2024, at 2:30 p.m.:

Notice of Motion

1. Report by the Committee on Trade, Energy and Industrialization on Fourth Quarter Financial Statement for the period ending 30th June, 2023

Motion

1. That this House adopts the report by the Committee on Trade, Energy and Industrialization on Fourth Quarter Financial Statement for the period ending 30th June, 2023 laid on this table of the House, 23rd April, 2024.

We have Questions and Statements as No.7

Mr. Speaker: Hon. Henry, after reading No. 8- Motion, can you go back to No. 7 again? No!

Hon. Hentry Nyongesa: No. 9, sorry.

Bills

1. The Bungoma County Annual Appropriation Bill, 2024;

A Bill for an Act of the County of Bungoma to authorize the issuance of the sum of money out of the Revenue Fund for its application towards the service of the year ending 30th June, 2023 and appropriate the sum of voted amount to the County Assembly for certain public use and purposes; Third reading

Mr. Speaker: Thank you, Hon. Hentry.

Hon. Hentry Nyongesa: I started with No. 4, Mr. Speaker. I have ended with two. That is why I was having problems. But I am a good thinker.

Mr. Speaker: But I suspect age is also a factor.

Hon. Hentry Nyongesa: Thank you Mr. Speaker.

Mr. Speaker: Hon. Hentry, you table it... you don't take it away. It is no longer yours.

Honourable Members, that is the tentative Order Paper for the week starting from today to Thursday at 2:30 p.m. We go to the next item on our Order Paper.

MOTION

1. REPORT BY THE HOUSE BUSINESS COMMITTEE

Mr. Speaker: Hon. Deputy Speaker on behalf of the House Business Committee?

Hon. Stephen Wamalwa: Thank you, Hon. Speaker. I rise to present to the House a report by the House Business Committee on the Affairs of the County Assembly during the first quarter of the third session.

Objectives of the report

The report seeks to:

1. Summarise for the House and the Public the work undertaken by the Assembly during the period under review.
2. Assess the impact of the work; and
3. Comment on any general matters which are considered important.

This report covers activities of the County Assembly of Bungoma from Tuesday, 13th February to Wednesday 15th May, 2024.

Establishment and Mandate of the Committee

The County Assembly House Business Committee is established pursuant to Standing Order No. 173 (1). Specifically Standing Order 173 (4)

Committee Membership

The Committee as currently constituted comprises of the following Members:

1. Hon. Emmanuel Situma	Speaker (Chairperson)
2. Hon. Stephen Wamalwa	Deputy Speaker
3. Hon. Joseph Juma	Member

4. Hon. Anthony Lusenaka	Member
5. Hon. Meshack Wekesa	Member
6. Hon. Miliah Masungo	Member
7. Hon. Stephen Kaiser	Member
8. Hon. Violet Makhanu	Member
9. Hon. Jack Wambulwa	Member
10. Hon. Hentry Nyongesa	Member
11. Hon. Johnston Ipara	Member
12. Hon. Cornelius Makhanu	Member
13. Hon. Jacob Psero	Member
14. Hon. Metrine Nangalama	Member
15. Hon. Mildred Barasa	Member

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. Signed By Hon. Emmanuel Situma, Speaker of the County Assembly/Chairperson

CHAPTER TWO

Resumption of the House and Calendar of the House

The County Assembly resumed its Sittings on Tuesday, 13th February, 2024 after the December, 2023 long recess. The first Business undertaken by the House at the commencement of the Session was to approve the calendar of regular sittings, and the establishment of the House Business Committee, among other matters.

On Tuesday, 13th February, 2024, the County Assembly considered and approved its Calendar of Regular Sessions for 2024 while introducing periods of short and long recess; to give Members of the County Assembly some time to visit their electorates, perform Committee functions and to

have time with their families. On Tuesday, 13th February, 2024 the House, by resolution, approved the House Business Committee membership.

During the period under consideration, the County Assembly had anticipated forty four (44) Sittings from 13th February to 2nd May, 2024. At the end of the period, the House managed thirty eight (38) Sittings including three (3) Special Sittings translating to 86.4 per cent achievement as shown in the table below:

S/No.	MONTH	REGULAR SITTINGS	SPECIAL SITTINGS	Total
1.	February	12	-	12
2.	March	11	-	11
3.	April	11	-	11
4.	May	01	03	4
	Total			38 (86.4%)

Committee Observations

1. From the thirty eight (38) Sittings, it was noted that three (3) Sittings were interfered with by lack of quorum while thirty five (35) had quorum.
2. Hon. Members attending Sittings of the County Assembly offer valuable insights into legislative processes, democratic norms, and the performance of representative roles in fulfilling their responsibilities.

Special Sittings of the County Assembly

The House held three Special Sittings on Wednesday, 15th May, 2024. The Businesses transacted by the House during the Special Sittings were as follows;-

Special Sitting held at 9:00 a.m.

- a) Tabling of the report by the Budget and Appropriations Committee report on the Bungoma County 2nd Supplementary Budget for the FY 2023/2024
- b) Issuance of notice of Motion on the report by the Budget and Appropriations Committee on the Bungoma County 2nd Supplementary Budget for the FY 2023/2024
- c) 1st Reading of the Bungoma County Public Participation and Civic Education Bill, 2024
- d) 1st Reading of the Bungoma County Valuation and Rating Bill, 2024
- e) 1st Reading of the Bungoma County Access to Information Bill, 2024

Special Sitting held at 11:00 a.m.

- a) Motion on the report by the Budget and Appropriations Committee on the Bungoma County 2nd Supplementary Budget for the FY 2023/2024

Special Sitting held at 2:30 p.m.

- a) Second Reading of the 2nd Supplementary Appropriation Bill, 2024
- b) Committee on Supply
- c) 3rd Reading of the 2nd Supplementary Appropriation Bill, 2024

Visiting Delegations and Public Interactions with the County Assembly

As part of citizen participation in its proceedings in accordance with the principles of citizen participation under Article 196 of the Constitution, the County Assembly has been welcoming citizens in both its Chamber and Committee proceedings. A delegation from Turkana County Assembly visited the House during the period under review on 28th February, 2024. There were various schools that visited the County Assembly on learning tours and followed proceedings from the Public Gallery. These were:

1. Nang'eni Girls' Secondary School from West Bukusu Ward; 14th February, 2024
2. St Francis of Assisi Myanga Secondary School from Kimaeti Ward; 22nd February, 2024
3. Little Marafiki Academy from Musikoma Ward; 12th March, 2024
4. Baptist Girls' High School from Township Ward; 13th March, 2024
5. St Mary's High School Webuye from Maraka Ward; 26th March, 2024
6. Toroso SA Primary and Junior School from Chesikaki Ward; 28th March, 2024
7. Friends Secondary School Kibisi from Mbakalo Ward; 2nd April, 2024.

Committee Observations

1. Delegation visits to the County Assembly play a valuable role in civic education, helping to prepare the next generation of informed and engaged citizens. Further, visiting the County Assembly exposes delegations to the workings of government and the democratic process. They get to witness debates, learn about the roles of different arms of government and understand how laws are made.

Presiding During the Period under Review

Presiding Speakers oversaw 38(thirty eight) sittings during the period under review (February – May, 2024) as follows:

- Hon. Emmanuel Situma (Speaker); 23 sittings
- Hon. Stephen Wamalwa (Deputy Speaker); 10 sittings
- Hon. Benjamin Otsiula (Panelist); 05 sittings

Committee observations

1. The Hon. Speaker presided over most of the Plenary Sittings followed by the Deputy Speaker and a Member of the Speaker's panel.
2. The presiding Speakers 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.

Business Undertaken During the Period under Review

Communication from the Chair

Communications from the Chair contain administrative directions from the Speaker of the County Assembly. The Speaker addresses the House on various issues arising from debates or requests for rulings by any member of the County Assembly. The presiding Speaker also issues formal communication to the House to respond to emerging issues or to address issues relating to the conduct of business in the House.

The presiding Speaker may further issue a communication when they have information to pass on to the County Assembly from their office or any other office.

The committee underscored the importance of the same and noted that there is need to track the action points in the communications.

Communication from the Chair may attract comments from members in the House at the discretion of the Chair. During the period under review, a total of 24 communications were conveyed. They were grouped under the following subject lines:

1. Plenary and committee sittings

2. General legislative administration
3. Coalition issues and political events
4. Visiting delegations
5. Events by the County Government
6. Honourable members' welfare
7. Public Holidays; among others.

The distribution of communications per month was as follows;

YEAR	FEBRUARY	MARCH	APRIL	MAY
2024	11	05	05	03

Committee Observations

Communication by the presiding Speakers in the County Assembly is of utmost importance to facilitate orderly and productive debates, maintain order and discipline during plenary sessions, upholding decorum and interpreting rules among others.

Messages from His Excellence the Governor

Pursuant to Standing Order 45, the House received and processed four (4) Messages from H.E the Governor. One message was with regard to nomination of person for appointment to the position of Bungoma County Attorney; which was later on recalled (withdrawn).

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 pursuant to section 15 of the County Government's Act, 2012 stands committed to the Committee on Justice and Legal Affairs. The committee shall in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners.

During the period under consideration, two petitions were concluded by the Committee on Justice, Cohesion and Legal Affairs within the stipulated timelines. The two petitions were:

1. Petition by the integrated and Chebui cave dwellers community on the need to assist the IDPs and evacuate the 11 families from Chebui cave- prayer granted
2. Petition by Martin Musungu Kichamba, Martin Mulumeti, Ben Matabili and Leonard Watima concerning poor management of the new Chesikaki Farmers' Cooperative Society and illegality of the current office bearers – two prayers were granted while one was not.

Committee observation

1. Public petitions to the County Assembly are essential for promoting citizen participation, accountability and transparency in democratic governance. They strengthen the relationship between government and society, enhance the quality of decision making and contribute to the realization of democratic ideas/ principles.

Papers laid

During the period under review, a total of 80 (eighty) Papers were laid before the House. Out of these, 38 were from various committees as outlined in the table below:

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

21.	Committee of Powers and Privileges	01
22.	Procedure and House Rules	00
23.	Speakers Panel	00
24	Committee on Appointments	00
	TOTAL	38

Other papers laid were:

- I. Four reports from the County Assembly Service Board
- II. Thirteen Policies/ Guidelines from the County Executive
- III. Seventeen other reports from the County Executive
- IV. Ten reports of the Auditor General

Committee Observations

1. During the period under review, there were a total of 38 Papers from committees presented in the House.

Committee recommendation

1. Committees should continue adhering to timely submission of reports for processing.

Policies and guidelines

During the period under consideration the County Assembly received 13 policies and/guidelines which were committed to various committees for processing.

One policy on Short Term Contractual Policy for Bungoma County Public Service had been considered and adopted by the House.

Regulations

Section 12 of the Statutory instrument Act number 23 of 2013 revised (2015) requires that the relevant committee of the County Assembly considers any instrument made under any law before it is made into a full force of the law. The relevant Committee is the Committee on Delegated County Legislation which may, in exercise of delegated power give a no objection verdict to a statutory instrument on behalf of the County Assembly or recommend that the House annuls all or part of a particular statutory instrument.

During the period between February and May 2024, one regulation, the public Finance Management (Bungoma County Executive Employees Car Loan and Mortgage Scheme Fund) Regulations, 2023 which was introduced on 7th December, 2023 was annulled.

Questions and statements

Members have an opportunity to raise matters of concern to the people. Standing Orders No. 46, 47 and 48 allow members to make or request general statements or raise personal statements in the House and also allow party leaders and chairpersons of committees to issue statements on matters under the committee purview.

This allows members to play their oversight and representative role on behalf of the people therefore resolve matters of concern.

During the period under consideration, ten statements issued were pursuant to the provisions of SO 47(2) (c) informing the House of the Business coming before it during the following week.

Four questions were directed to respective CECMs who are expected to respond before the House. The table below indicates the status of all questions before the House whether responded to unsatisfactorily, satisfactorily or were not responded to.

S/No	DEPARTMENT	No. of questions	Questions responded to satisfactorily	Questions responded to unsatisfactorily	Questions not responded to
1.	CECM Tourism, Water, Environment and Natural Resources	1			
2.	CECM Health and Sanitation	1			
3.	CECM Education and Vocational Training	1			
4.	CECM Finance and Economic Planning	1			
	TOTAL	4			

Committee observations

1. Four questions were directed to the respective County Executive Committee members who are expected to respond before the House after the May 2024 long recess.

Committee recommendations

1. Members should make use of the time allocated during the members' general statement as per Standing Order No. 46 during Statement hour as provided for in the Standing Order 47(2) (c) and Standing Order No. 48 on personal Statements to raise issues on the Floor of the House.

Motions

During the period under review, the House considered 33 Motions; this included one motion on the report by the Joint Committees of Public Accounts and Investment of Bungoma and Trans Nzoia County Assemblies on the interrogation of Nzoia Water Services Limited Company's Auditor General's report on the financial statements for the period ended 30th June, 2022.

31 Motions were passed and two not adopted. One motion on the report by the sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development on the Bungoma County Government 4th Quarter Financial statements for the period ended 30th June, 2023 with respect to the Department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development was withdrawn by the Chairperson of the Committee.

Further, the motion on the report by the Sectoral Committee on Youth Affairs and Sports on the Bungoma County Government 4th Quarter Financial Statements for the period ended 30th June, 2023 with respect to the Department of Youth and Sports was not adopted. The report was referred back to the Committee.

Debate on a motion on the report by the Committee on Public Administration and ICT was adjourned on 28th February due to lack of quorum. The motion was later adopted on 12th March, 2024.

Committee Recommendations

2. The committee chairpersons, whose committee Business is been scheduled in the Order Paper should ensure that members of the Committee are present to support their report during plenary sittings.
3. The Committee on Implementation should fast track the follow up on implementation of House resolutions.
4. The House should dispense off reports once laid on the Table without referring them back to the committees that processed the Business under consideration

Bills

Apart from statutory Bill; the Bungoma County 2nd Supplementary Appropriation Bill, 2024, three legislative proposals were introduced:

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

The Bills were committed to respective Sectoral Committees for processing as per the provisions of Standing Orders.

Committee Recommendation

1. Timelines provided for in the Standing Orders in regard to processing of a Bill should be followed to ensure many Bills are passed in the House.

Vetting of nominees for appointment to public office

The County Assembly exercises its oversight role as mandated by law in undertaking vetting of the nominee for appointment to Public Office forwarded to the House by His Excellency the Governor during the period under review. The nominee for appointment to the position of the Bungoma County Attorney was vetted by the Committee on Appointments on 25th April, 2024; however His Excellency the Governor wrote to the Clerk of the County Assembly withdrawing the name before the Committees report was tabled in the House.

CHAPTER THREE

General Observation and Recommendations

The Committee having considered the analysis of the affairs of the House makes the following recommendations:

1. The Committees and Members should thoroughly prepare for plenary sessions by familiarizing themselves with agenda items, relevant documents and background information; these preparations ensure informed and constructive participations in debates and decision making processes.
2. Committees and Members should adopt a collaborative approach to deliberations, engaging in constructive dialogues and seeking common ground on contentious issues. Cooperation among different county assemblies, factions, fosters consensus buildings and enhances the effectiveness and legislative outcomes.
3. Committees and Members should prioritize key issues of county importance; focusing their attention and resources on addressing pressing challenges and advancing legislative agendas that benefit the public interest.
4. Committees and Members should base the decisions on credible evidence, expert analysis and imperial data to ensure that legislative proposals are well informed and grounded in sound research and analysis.
5. Committees and members should ensure that parliamentary processes are transparent, inclusive and accountable to the public. This includes: providing opportunities for public input, conducting hearings and consultations and maintaining openness to feedback and criticism.
6. Committees and Members should adhere to rules and procedures, respecting established norms of decorum, civility and orderliness during plenary sessions; this promotes fair and respectful debate while also upholding the integrity of the legislative process.
7. The deliberations of the House in regard to any Business is final and can either at end of deliberations adopt, reject or amend any part of the report without referring the same back to committees as there are no procedures of referring a report to the Committee after it has concluded its business.

Hon. Speaker, there is an adoption schedule signed by the membership of the Committee and it is well signed as I had earlier on read the membership of the Committee.

Members of the House Business Committee pursuant to Standing Order No.202 (5) adopted the report and append their signatures to affirm the approval of the contents.

Mr Speaker: You are yet to call the seconder of the motion, proceed.

Hon Stephen Wamalwa: Hon. Speaker, I call upon the Hon. Ipara Okasida Johnston to second...

Hon. Johnston Okasida: Thank you Hon. Speaker, let me have the honour to second this report based on the following facts:

First, I second this report because it is a record that will be referred to in future by others who will follow us and it shows the true picture of what this House transacted for the period under review. This report is an indication or a summarized result of the performance of this House on all Committees that are formed in this House. This is a self-evaluation report on the performance of Honorable Members in this House; more so, it is also a tool for decision making.

This is the real evidence that we shall leave in the shelves for others to refer to and see what actually this House did during their period. In simple terms, it leaves me to summarize that it is our own real image on how we act as the honourable members in this House.

Lastly, let me make a recommendation, for the last one and a half years that I have been in this Committee, I have noted one thing; the House Business Committee is the mother of all committees. Without HBC, this Honourable House would not be there because there would be no weekly programs on how the honourable House runs. I wanted to say this, that in future, as the Liaison Committee retreats, you must consider the budget of this committee in line with other committees. The major committees of this House: the Public Accounts Committee, the Budget Committee and the Finance Committee, because actually the Budget Committee cannot come up with a budget without the HBC programming it. Finance cannot go and plan for our finances on how they collect without this honorable Committee. So, I second this report by saying that in future you consider those proposals. I do not wish to say a lot because the teacher has summarized everything.

Mr. Speaker: Thank you Hon. Ipara for seconding the motion by the Committee on HBC. Honourable Members, you will now allow me to proceed and propose a Motion for the House to debate.

(Motion proposed)

Mr. Speaker: Yes Hon. Hentry, you are on line.

Hon. Henry Nyongesa: Thank you Mr. Speaker, I stood to bring to the attention of the House that I am a serious member of the HBC and having served in that Committee for some time, I

wish to say that we have a very serious committee chaired by yourself and your deputy who has moved the report.

Just one or two things, as Hon. Ipara has put it, this is the mother committee of this House and something coming out is that this is one of the committees that has not benchmarked with parliament among other...

Mr. Speaker: Honorable member, for guidance purposes, matters that specifically refers to HBC, take them to HBC.

Hon. Henry Nyongesa: Thank you Mr. Speaker.

Mr. Speaker: Because where you are heading, it is like you want people to start asking what you are planning as the HBC. That is our internal affair please. Leave that line of submission.

Hon. Henry Nyongesa: Thank you Mr. Speaker. I thank you for that guidance. I just want to report on the following: you may realize that everything that was presented in this committee was handled very carefully apart from one or two items. One, two items were withdrawn on the Floor of the House...number one item was withdrawn when it was at a pregnant stage Mr. Speaker...

Mr. Speaker: Hon. Hentry, explain to us which stage is pregnancy, the House is not aware

Hon. Hentry Nyongesa: Thank you Mr. Speaker, I wish to answer by referring to the time when His Excellency the Governor forwarded the name of the County Attorney which was committed to the Committee on Appointments and the committee did its best and on the day that the report was almost being delivered to the House, it was withdrawn... with your guidance, that was a pregnancy stage Mr. Speaker...

Mr. Speaker: Let me correct you, what was withdrawn was the name of the nominee. That made the Committee unable to present the report on the Floor of the House. The Governor recalled the name and so that meant that the Committee didn't have any report to bring here. Proceed!

Hon. Hentry Nyongesa: Thank you Mr. Speaker. That is the way I was mentioning that it was still under...

Mr. Speaker: Pregnancy!

Hon. Hentry Nyongesa: Pregnancy...

(Laughter)

...the stages where pregnancy was taken out maybe it was under the ... (*inaudible*) stage.

Mr. Speaker: Now when you put it that way, then we should be asking under which trimester is that.

Hon. Hentry Nyongesa: Mr. Speaker I will withdraw that statement but I wish to say that in future, we need to handle such matters and in cases where the appointee has an issue; let it be brought to your desk in advance.

I want to mention something that was also done in the same style; that a report was brought on the Floor of the House under the Committee on Agriculture and you remember under our Standing Orders that while the report had...

Mr. Speaker: Which Standing Order?

Hon. Hentry Nyongesa: Mr. Speaker...

Mr. Speaker: Which Standing Order please? You know when you go the Standing Order you must quote the right one. So which one is that?

Hon. Hentry Nyongesa: Mr. Speaker, I could go to it but I think it...

Mr. Speaker: Give it to us please.

Hon. Hentry Nyongesa: Mr. Speaker under our Standing Order...

Mr. Speaker: Which number so that we also refer?

Hon. Hentry Nyongesa: Mr. Speaker I have borrowed my eyes today from Hon Waiti...

Mr. Speaker: If you are not sure, then avoid that line of submission

Hon. Hentry Nyongesa: So I don't want to go again to Hon Waiti to borrow the eyes, but in future I will make sure that I have reference on the same. What I am saying is that once the report has been tabled in the House, it becomes public as Hon. Ipara has indicated; it goes on record and it will be a reference in future. That on such a date as the mover was putting it...

Mr. Speaker: Just to guide you Hon. Hentry, you can table the document but withdraw it with the leave of the House. So I think that is what was done, and I can confirm that one of my speakers that day was Hon Otsuila. It was withdrawn with permission of this House. I think that was in Order and we can't go back to debate the same. Proceed!

Hon. Hentry Nyongesa: Mr. Speaker, I was reacting to a report but I am most obliged. You are the highest desk that we have to respect because you give guidance and you moderate debate.

I just wanted to mention that in future, we wish that much consideration should be put in place that because of the public interest, such reports must be expedited to the end. Otherwise I want to support the report and say that the Chair of the Committee has rated all the committees and you are even giving the marks to the committees. How I wish that in future...

Mr. Speaker: Hon. Hentry doesn't mislead us! There are no marks here. They have just shown the number of reports each committee has done. The percentages we have here is out of the percentage of the committees we have sat. There are no marks here!

Hon. Hentry Nyongesa: Mr. Speaker I am going in that direction; that in future, in order to give the committees appetite to do their work in this House, how I wish that the Chair will award those marks next time. That is the direction I was going to and in addition, I will also request that we also award those members who are moving statements, motions and those “bla bla” such that it is giving...

I am using the word appetite so that other members are part and parcel of either the report or the motion that has been moved in the House or members can be activated to issue more statements. You may realize that the statements raised in this House are very few and we have even more problems than before. I rest and I support the report

Mr. Speaker: Thank you. Hon. Deputy Speaker, reply to the motion.

Hon. Stephen Wamalwa: Thank you Hon. Speaker.

Having listened, I wish to appreciate the contributions but I want to bring it to the attention of the House that resources are normally meager and we work within the available means. That is why we say that we have to discharge our mandate as given to us by our people who respect and believe in us. That with or without those resources in terms of monetary allocations, we can as well work from here because actually there is nothing that stops any committee from undertaking and discharging its duties from within; and every committee is important.

Each committee has unique critical role and in harmony, we co-relate and give birth to robust Business which is transacted here; so that we produce wonderful outcomes in terms of Business from within this Assembly.

I can say without fear that percentages were based on processed activities but some of the committees actually do not present their reports here; case and point is the Speaker's panel where we look at the happenings of the House then we discuss in the boardroom of the Speaker... Procedure and Rules is the same.

Having said that Honourable members, we look forward that other committees should just up their game and with time you can be the best.

Hon. Hentry, you are part of the House Business Committee. Some of those proposals are welcome during our retreat so that we can dispense with them and bring here a report that is very robust.

Otherwise Honourable members, I wish to urge you to adopt this report without amendments so that we can move forward. Thank you Hon. Speaker

(Applause)

Mr. Speaker: Thank you Hon. Stephen Wamalwa, Deputy Speaker and our member of the HBC. Members, now allow me finish by putting a question to the motion before the House.

(Question put and agreed to)

The report is hereby adopted accordingly.

COMMUNICATION FROM THE CHAIR

1. NOMINEES FOR THE POSITIONS OF CHIEF OFFICER

This communication is from the office of the County secretary and Head of Public Service addressed to the County Assembly Clerk. Reference is nominees for the posts of the Chief Officers in the County Government of Bungoma. In exercise of the powers as provided for under Article (31) and (45) of the County Government's Act, H.E the Governor Hon. Kenneth Makelo Lusaka today the 18th June, 2024 has nominated six candidates for consideration to serve as County Chief Officers. The names were among those presented to him by the County Public Service Board of Bungoma after conducting interviews. The nominees and respective county portfolios are as follows;

No.	Name	ID Number	Phone number	Portfolio	Sub-county
1	Timothy Wafula Wanjala	20153715	0723462105	Youth and Sports	Tongaren
2	David Malinga Chemayek	8013926	0722696411	Gender and Culture	Mt Elgon
3	CPA Dr. Rashid Fwamba	24539344	0727500745	Housing Municipalities and Urban Areas	Webuye East

4	CPA Andrew Mukoya	5705939	0790604088	Economic planning	Bumula
5	Sam Nalwa Wanjala	20120804	0723272393	0723272393	Kimilili
6	Andrew Musungu	12582639	0721297649	Livestock and Veterinary services and Fisheries	Webuye West

I duly commit each individual name to its sector committee for vetting and approval or you want me to confirm which is specific... I think you are aware;

1. Timothy Wafula Wanjala- the Committee on Youth and Sports to vet and approve.
2. David Malinga Chemayek- the Committee of Gender and Culture to vet and approve.
3. CPA Rashid Fwamba; the Committee on Lands, Urban, Physical Planning and Housing to vet and approve.
4. CPA Andrew Mukoya; the Committee on Finance and Economic Planning to vet and approve
5. Sam Nalwa Wanjala; the portfolio is for the Committee on Education and Vocational Training to vet and approve.
6. Andrew Musungu; the portfolio is under the Committee on Agriculture, Livestock, Fisheries and Irrigation to vet and approve

The purpose of this letter is to forward the above mentioned nominees for consideration as County Chief Officers by the County Assembly as per the requirement of section 45 (1) (b) of County Governments' Act of 2012 before they are officially appointed by His Excellency the Governor. So Honourable Members, I think the sector committees can now retreat, arrange their work plans for my approval, and then you arrange for your meeting.

We now have enough venues for meetings. Let the Committee Clerks now assist you so that each committee does its own vetting. We want to look at the membership so that nobody complains about his or her welfare in terms of the report writing schedule.

ADJOURNMENT

This House will adjourn tomorrow to allow for vetting to take place. Thank you so much.

(Applause)

As we wind up, you will bear with us; we still have some renovations which they are finalizing up on, so the smell arising from the paint. Kindly, bear with us for three more days. That was our last item on our Order Paper, Honourable Members.

The House rose at 3:51 p.m.